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HOUSE JOURNAL

OF THE

Thirty-ninth Legislative
Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing January 4, 1965, and
Ending March 4, 1965.

WALTER H. MARSHALL,
Chief Clerk

JEANNETTE E. BLEWETT,
Journal Clerk.

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OFFICERS AND MEMBERS

Thirty-ninth Legislative Assembly of the State of Montana 1965

TIM BABCOCK, Governor.

Ted James, Lieutenant Governor, President of the Senate

Ray J. Wayrynen, Speaker of the House.

Eugene H. Mahoney, President Pro Tem of the Senate

George S. McKenna, President Pro Tem (Ad Interim)

Members of the Senate

NAME	RESIDENCE	COUNTY	POLITICS
*Anderson, Helen F.	Wibaux	Wibaux	Republican
Balgord, O. P.	Lavina	Golden Valley	Republican
Beck, Ralph J.	818 Milwaukee Ave., Deer Lodge	Powell	Republican
*Beley, Ward H.	Harlowton	Wheatland	Democrat
*Bentz, C. C.	Ekalaka	Carter	Republican
*Bovey, Charles A.	Box 1653, Great Falls	Cascade	Democrat
*Breen, Jerry W.	Choteau	Teton	Republican
Brenner, J. S.	Grant	Beaverhead	Republican
Brownfield, Ben	123 S. Taylor, Glendive	Dawson	Republican
*Cole, Kenneth	Winnett	Petroleum	Republican
*Cotton, Robert S.	Box 27, Glasgow	Valley	Democrat
*Cumming, Hugh C.	Drummond	Granite	Democrat
Davis, Warren H.	418 Chestnut St., Anaconda	Deer Lodge	Democrat
DeWolfe, Percy	Babb	Glacier	Democrat
*Dussault, Edward T.	Mullan Road, Missoula	Missoula	Democrat
Edwards, Lochiel	Malta	Phillips	Republican
*Gerard, Sumner	Ennis	Madison	Republican
*Goodwin, Lester C.	Townsend	Broadwater	Democrat
Graham, Carroll A.	Lodge Grass	Big Horn	Democrat
*Groff, Wm. A. "Bill"	Victor	Ravalli	Democrat
*Hafferman, William F.	314 E. Ninth St., Libby	Lincoln	Democrat
Harris, Dr. W. E.	Box 545, Livingston	Park	Democrat
Hauk, Mike	Terry	Prairie	Democrat
Hibbard, Henry S.	618 Madison, Helena	Lewis and Clark	Republican
*Hilling, Henry B.	1214 Ninth St. W., Billings	Yellowstone	Republican
Holt, Steve A., Jr.	Broadus	Powder River	Republican
*Huntley, Gene	Baker	Fallon	Democrat
James, David F.	Joplin	Liberty	Democrat
*Jensen, Arthur N.	Superior	Mineral	Democrat
Kafka, Lada J.	Shambo Route, Havre	Hill	Democrat
*Keller, Webster	Fishtail	Stillwater	Democrat
Killenbeck, Roy	Scobey	Daniels	Republican
Lehrkind, Carl, Jr.	610 S. Willson, Bozeman	Gallatin	Republican
MacDonald, John J.	Jordan	Garfield	Democrat
Mackay, William R.	Roscoe	Carbon	Republican
*Mahoney, Eugene H.	Thompson Falls	Sanders	Democrat
Manning, Dave M.	Hysham	Treasure	Democrat
Mathers, W. L. "Bill"	314 S. Merriam, Miles City	Custer	Republican
McDonnell, A. Ronald	Big Timber	Sweet Grass	Republican
*McGowan, Gordon	Highwood	Chouteau	Democrat
*McKenna, George S.	Stanford	Judith Basin	Democrat
*Melcher, John	Forsyth	Rosebud	Democrat
*Michels, Lloyd J.	Medicine Lake	Sheridan	Democrat
*Moberly, Waldo Y.	485 Judy Ave., Shelby	Toole	Republican
*Moritz, Earl	1024 W. Evelyn, Lewistown	Fergus	Republican
Nees, Stanley	Poplar	Roosevelt	Democrat
Nixon, Richard	Hogeland	Blaine	Democrat
O'Neill, Dr. R. T.	813 Third West, Roundup	Musselshell	Democrat
*Reardon, Frank D.	30 E. Iron St., Butte	Silver Bow	Democrat
*Rieder, Arnold	Boulder	Jefferson	Democrat
Rostad, Carl	Martinsdale	Meagher	Republican
*Siderius, George	Somers Stage, Kalispell	Flathead	Democrat
*Thiessen, C. R.	Lambert	Richland	Democrat
Thomas, Robert B.	Wolf Point	McCone	Republican
Turnage, Jean A.	Polson	Lake	Republican
Ullom, Maurice J.	Conrad	Pondera	Republican

* Holdover Senator.

House of Representatives

NAME	RESIDENCE	COUNTY	POLITICS
Aasheim, Magnus	Antelope	Sheridan	Democrat
Asbjornson J. O. "Boots"	Winifred	Fergus	Republican
Atkins, Arthur	516 Mineral Ave., Libby	Lincoln	Democrat
Bailey, Manson H., Jr.	Glasgow	Valley	Democrat
Bardanoue, Francis	Harlem	Blaine	Democrat
Bashor, Leonard G.	Kevin	Toole	Democrat
Bollinger, Gordon E.	122 Third Ave. N., Glasgow	Valley	Democrat
Boughton, Bert D.	Jordan	Garfield	Republican
Brenner, Paul E.	Cardwell	Jefferson	Democrat
Broeder, Fred O., Jr.	Route 4, Kalispell	Flathead	Republican
Casey, Loran	107 Dawson, Wolf Point	Roosevelt	Republican
Cerovski, Charles	207 Crystal Drive, Lewistown	Fergus	Democrat
Christiansen, E. W. "Bill"	Hardin	Big Horn	Democrat
Cregg, William G.	125 Sentinel, Missoula	Missoula	Democrat
Crum, Forrest H.	1147 Broadwater Ave., Billings	Yellowstone	Republican
Cummings, Everett D.	Hobson	Judith Basin	Democrat
Delano, John L.	420 S. Wallace, Helena	Lewis and Clark	Republican
Deschamps, Robert L., Jr.	Route 4, Missoula	Missoula	Democrat
Dye, Robert F.	622 S. Grand, Bozeman	Gallatin	Republican
East, Vic	Forsyth	Rosebud	Republican
Egan, Eugene C.	Valier	Pondera	Democrat
Eklund, Elmer A.	Ryegate	Golden Valley	Democrat
Eskildsen, Leslie "Joe"	Malta	Phillips	Democrat
Falkenstern, Arnold H.	Terry	Prairie	Republican
Felt, James R.	303 Parkhill Drive, Billings	Yellowstone	Republican
Fischer, C. R.	1201 W. Park Ave., Anaconda	Deer Lodge	Democrat
Flynn, Elmer	Route 2, Missoula	Missoula	Democrat
Garrison, W. F. "Bill"	Glen	Madison	Republican
Gerke, Harold E.	202 Mountain View, Billings	Yellowstone	Democrat
Gilfeather, P. J.	2816 Fourth Ave. S. Great Falls	Cascade	Democrat
Gill, Henry L.	Thompson Falls	Sanders	Democrat
Gilligan, Peter J.	3020 Fourth Ave. S., Great Falls	Cascade	Democrat
Gunderson, Jack	Power	Cascade	Democrat
Haines, Tom	15 Martha's Court, Missoula	Missoula	Republican
Hall, John C.	1020 Third Ave. N., Great Falls	Cascade	Democrat
Hanks, Virgil	Gallatin Gateway	Gallatin	Democrat
Harper, Warren W., Sr.	717 N. Second, Livingston	Park	Democrat
Healy, John E. "Jack"	624 W. Granite St., Butte	Silver Bow	Democrat
Holtz, Ronald W.	Flowerlee	Cascade	Democrat
James Mrs. R. H. (Isabel)	Grant	Beaverhead	Republican
Jenkins, L. V., Jr.	Hysham	Treasure	Republican
Jensen, Millo	Ronan	Lake	Republican
Johnson, Edward A.	710 W. Sixth St., Anaconda	Deer Lodge	Democrat
Judge, Thomas L.	417 Dearborn, Helena	Lewis and Clark	Democrat
Laas, Walter	Chester	Liberty	Democrat
Leuthold, John H.	Molt	Stillwater	Republican
Lewis, Joe H.	Browning	Glacier	Democrat
Loman, Ray M.	Ronan	Lake	Republican
Lombardi, Jerry V.	947 Waukesha, Butte	Silver Bow	Democrat
Lucas, James P.	500 S. Strevell, Miles City	Custer	Republican
Lund, Arthur E.	Scobey	Daniels	Republican
MacCalman, Malcolm	203 Fifth St., Deer Lodge	Powell	Republican
Mather, William S.	1005 Second St. W., Roundup	Musselshell	Republican
McDonald, John K.	Belt	Cascade	Democrat
McNamara, Jack R.	916 Stuart, Helena	Lewis and Clark	Democrat
McNamer, William R.	235 Yellowstone Ave., Billings	Yellowstone	Republican
McOmber, W. Gordon	Fairfield	Teton	Democrat
Meccage, A. L.	Baker	Fallon	Democrat
Nefzger, Donald Deane	Vida	McCone	Democrat
Nelson, Carl	Hall	Granite	Republican
Nichols, Norris	Stevensville	Ravalli	Republican
Nutting, Richard A.	Silesia	Carbon	Republican
Obstarczyk, John J.	827 Second Ave. N.W., Great Falls	Cascade	Democrat
O'Hair, Allyn W.	Box 955, Livingston	Park	Democrat
O'Leary, Barry J.	2009 Gorham Park Dr., Billings	Yellowstone	Democrat
Pierce, John H.	1312 Parkhill Dr., Billings	Yellowstone	Republican
Prevost, Robert C.	Lambert	Richland	Democrat
Raundal, Robert S. "Bob"	Winnett	Petroleum	Democrat
Rehberg, Jack D.	2317 Rehberg Lane, Billings	Yellowstone	Republican
Rygg, Sterling	Whitefish	Flathead	Republican
Sartz, Leonard L.	Wibaux	Wibaux	Democrat
Schepens, Fred W.	217 5th Highland Park, Glendive	Dawson	Democrat
Scherf, Margaret	737 First Ave. W., Kalispell	Flathead	Democrat
Schye, Elmer	White Sulphur Springs	Meagher	Republican
Seelstad, Tom A.	Horizon Addition, Great Falls	Cascade	Republican
Sheehy, John C.	1041 Poly Drive, Billings	Yellowstone	Democrat
Shugrue, Stephen J.	980 N. Main St., Butte	Silver Bow	Democrat
Slaby, Cyril "Cy"	612 Fifteenth St., Havre	Hill	Democrat
Smiley, Richard D.	Route 2, Box 149, Bozeman	Gallatin	Republican
Smith, Carl M.	Olive	Powder River	Republican
Spilde, Gene	Big Timber	Sweet Grass	Republican

HOUSE OF REPRESENTATIVES—(continued)

NAME	RESIDENCE	COUNTY	POLITICS
Stranahan, C. G.....	Fort Benton.....	Chouteau.....	Democrat
Sullivan, Kermit C.....	Superior.....	Mineral.....	Democrat
Swanz, E. A.....	Harlowton.....	Wheatland.....	Republican
Tooke, Richard D.....	Ekalaka.....	Carter.....	Republican
Tracy, Thomas P.....	2425 Nettie St., Butte.....	Silver Bow.....	Democrat
Twedt, Gordon R.....	Rudyard.....	Hill.....	Democrat
Ulmer, Walter J.....	121 S. Merriam, Miles City.....	Custer.....	Republican
Watt, Robert D.....	440 South Ave. E., Missoula.....	Missoula.....	Democrat
Wayrynen, Ray J.....	133 E. Broadway St., Butte.....	Silver Bow.....	Democrat
Williams, William G. "Bill".....	Toston.....	Broadwater.....	Republican
Willits, John B.....	1620 Fifth Ave. N., Great Falls.....	Cascade.....	Democrat
Woodard, Hubert E.....	127 Ave. C, P. O. Box 660, Billings.....	Yellowstone.....	Republican
Zimmer, William H.....	Olney.....	Flathead.....	Democrat

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1	Introduced by Committee on Appropriations: A bill for an act entitled: "An act relating to the organization and procedures of the legislative assembly; prescribing the duties and compensation of legislative employees; repealing Sections 43-211, 43-212, 43-213, 43-214, 43-302, 43-303, 43-305 through 43-309 and 43-312 through 43-317, R. C. M. 1947."	27, 29, 40, 41, 45-SA, 47, 52, 53.
2	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating money for the operation of the Thirty-Ninth Legislative Assembly."	27, 29, 40, 41, 42, 45, 47, 52, 53.
3	Introduced by Bardanouve, Eskildsen and Nichols: A bill for an act entitled: "An act relating to the investment of moneys in the state treasury and state depository practices; creating a state investment council and the office of state investment officer; providing an appropriation for the state investment council; amending Sections 31-205, 68-701, 75-2708, 79-306, 79-1101, 79-1102, 81-101, 81-102, 81-201, 81-209, and 92-1112, R. C. M. 1947; and repealing Sections 79-301, 79-303, 79-304, 79-305, 79-1105, 79-1201, 79-1203, 79-1206, 79-1207, 79-1208, 79-1209, 79-1211, 79-1212, 79-1213, 79-1214, 79-1215, 79-1216, 81-1001, 81-1002, 81-1003, 81-1004, 81-1005, 81-1006, 81-1007, and 81-1008, R. C. M. 1947."	27, 126, 175, 180, 604, 645, 651, 657, 678, 679, 705, 729, 738, 757.
4	Introduced by Bardanouve and Nichols: A bill for an act entitled: "An act appropriating seven thousand two hundred dollars (\$7,200) for state of Montana dues to the Council of State Governments for the 1965-1967 biennium and appropriating two thousand dollars (\$2,000) for the expenses of legislative leaders to attend the National Conference of State Legislative Leaders."	27, 592, 620, 678, 680, 703, 774, 776, 779-SA, 793, 819, 823, 849.
5	Introduced by Bardanouve and Nichols: A bill for an act entitled: "An act appropriating moneys for	

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6	Introduced by Bashor and Nichols: A bill for an act entitled: "An act amending section 84-4907.1, R. C. M. 1947, as amended by Section 1, Chapter 227, of the Laws of 1957, relating to veterans' bonus exemption from income tax law; providing that all payments made under World War I bonus law, Korean bonus law and Veterans' bonus law shall be exempt from Montana state income tax; providing an effective date; and providing a repealing clause."	27, 57, 63, 70, 72, 77, 169, 178, 180, 188.
7	Introduced by Wayrynen and Gill: A bill for an act entitled: "An act amending Section 32-1014, R. C. M. 1947 making unlawful the dumping of garbage on private property where public recreation is permitted."	28, 98, 106, 120, 130, 286, 303, 318, 338, 614, 625, 627, 640, 643, 761.
8	Introduced by Christiansen and Schepens: A bill for an act entitled: "An act to amend Section 32-1126, R. C. M. 1947, by giving certain employees of the State Highway Commission the power of arrest in certain instances."	28, 75, 79, 85, 96, 97, 101, 103, 106, 615.
9	Introduced by Harper, Zimmer, Tracy, Lombardi, Shugrue, and Healy: A bill for an act entitled: "An act establishing a minimum wage for certain employees in the State of Montana."	28, 40, 199, 223, 237, 254, 260, 275, 644, 705, 756, 773, 776, 785.
10	Introduced by Bardanouve, Eskildsen, Nichols and Haines: A bill for an act entitled: "An act amending Section 23-902, R. C. M. 1947, to change the date of the primary nominating election to the Tuesday after the second Monday in September preceding any general election; amending Section 23-807, R. C. M. 1947, to provide the period for filing certificates of nomination with the Secretary of State and the county clerk; amending Section 23-809, R. C. M. 1947, to provide the period in which the Secretary of State must certify to the county clerks the names of persons nominated in certificates of nomination."	28, 361.
11	Introduced by Bardanouve, Eskildsen, Haines, and Nichols: A bill for an act entitled: "An act to	

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	give each political party the power to make rules and regulations for its organization and operation; and to repeal Sections 23-930, 23-932, 23-1002, 23-1006, and 23-1007, R. C. M. 1947.”	28, 361.
12	Introduced by Bashor and Eskildsen: A bill for an act entitled: “An act relating to liquor control and the operation of the Liquor Control Board; changing published notice requirement for liquor license transfers from four to two weeks; requiring that every package of liquor sold within the state have an official serially numbered seal attached; requiring the Liquor Control Board to maintain written records of liquor received for sampling purposes; removing salary limitations for employees of the Liquor Control Board; abolishing individual liquor permits; repealing obsolete provisions for beer licenses for clubs; amending Sections 4-407.1, 4-113, 4-153, 4-102, 4-112, 4-116, 4-134, 4-136, 4-137, 4-138, 4-139, 4-159, 4-164, 4-201, 4-202, 4-234, 4-501, and 4-502, R. C. M. 1947, and repealing Sections 4-108, 4-157, 4-162, 4-165, 4-166, 4-168, 4-169 and 4-511, and Sections 4-123 through 4-133, R. C. M. 1947.”	28, 411.
13	Introduced by Harper, O’Hair, Schepens, Smith, Aasheim and Meccage: A bill for an act entitled: “An act requiring the display of signs where imported meat or meat products are sold and requiring the labeling of imported meat or meat products containing imported meat.”	28, 75, 85, 96, 97, 101, 425.
14	Introduced by Judge and Aasheim: A bill for an act entitled: “An act amending Section 23-902, R. C. M. 1947, to change the date of the primary nominating election to the second Tuesday of September preceding any general election; and eliminating the election of county central committeemen and committeewomen at the primary nominating election; amending Section 23-807, R. C. M. 1947, to provide the period for filing certificates of nomination with the Secretary of State and the County Clerk; amending Section 23-809, R. C. M. 1947, to provide the period in which the Secretary of State must certify to the County Clerks the names of persons nominated in certificates of nomination.”	29, 361.
15	Introduced by Judge and Aasheim: A bill for an act entitled: “An act relating to county and city central committeemen; amending Section 23-929, R. C. M. 1947 to provide for the election of county and city central committeemen at the general election; and to specify the time an elector may be placed in nomination for committeeman or committeewoman.”	29, 361.
16	Introduced by Judge and Aasheim: A bill for an act entitled: “An act to give each political party	

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	the power to make rules and regulations for its organization and operation; and to repeal Sections 23-930, 23-932, 23-1002, 23-1006, and 23-1007, R. C. M. 1947."	29, 361.
17	Introduced by Judge and Aasheim: A bill for an act entitled: "An act amending Section 23-903, R. C. M. 1947, to eliminate reference to candidates for county central committeemen in primary nominating election notices."	29, 361.
18	Introduced by Hanks, Aasheim, Judge, Rehberg: A bill for an act entitled: "An act changing the name of 'The University of Montana' to 'The Montana System of Higher Education,' 'Montana State University' to 'University of Montana,' 'Montana State College' to 'Montana State University,' 'Montana School of Mines' to 'Montana College of Mineral Science and Technology,' 'Western Montana College of Education' to 'Western Montana College,' and 'Eastern Montana College of Education' to 'Eastern Montana College'; amending Sections 75-401, 75-402, R. C. M. 1947; repealing Section 75-402.1, R. C. M. 1947."	40, 53, 57, 60, 62, 65, 70, 166, 169, 170, 173.
19	Introduced by Judge, Lucas, Flynn, Crum, Haines, Fischer, Gill: A bill for an act entitled: "An act to provide for medical assistance for the aged in conformity with Title I of the Federal Social Security Act of 1935, as amended; providing for the administration of the act by the State Department of Public Welfare and the County Departments of Public Welfare; providing eligibility requirements for assistance under the act; providing for counties' share of participation under the act; and amending Sections 71-106, 71-211, 71-216, 71-230, 71-241, 71-308, 71-309, 71-402, 71-405 and 71-406, R. C. M. 1947, to provide vendor payment of medical care for recipients of old age assistance."	40, 286, 292, 329, 349, 410, 423, 594, 631, 637-SA, 652, 653, 668, 669, 838.
20	Introduced by Smiley, Lund, Crum, James: A bill for an act entitled: "An act changing the name of 'Montana State College' to 'Montana State University,' 'Montana State University' to 'University of Montana,' 'Montana School of Mines' to 'Montana College of Mineral Science and Technology,' and 'University of Montana' to 'Montana System of Higher Education'; amending Section 75-402, R. C. M. 1947; and repealing Sections 75-401 and 402.1, R. C. M. 1947."	41, 53.
21	Introduced by Tracy, Lombardi, Flynn, Cregg, Shugrue: A bill for an act entitled: "An act to provide for the welfare of people who work; estab-	

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	lishing a minimum wage in the State of Montana; defining terms; providing for the keeping of records; providing civil remedy; providing penalties; repealing conflicting acts; providing an effective date."	41, 200, 201, 233, 253, 476, 608.
22	Introduced by Watt, Sheehy, Rehberg, Fischer, Lucas, James, Shugrue, McNamara: A bill for an act entitled: "An act amending Section 16-2618 R. C. M. 1947 to provide for the investment of moneys of first class school districts and county high schools."	41, 80, 89, 105, 107, 120, 514, 543, 544, 554, 556, 566.
23	Introduced by Gerke, Sheehy, O'Leary, Felt: A bill for an act entitled: "An act amending Section 66-512, R. C. M. 1947, to increase the maximum fee for renewal of chiropractor's licenses to twenty-five dollars (\$25.00) and to require persons licensed to practice chiropractic to attend annually an education program."	43, 83, 89, 105, 107, 122, 216, 225, 229, 230, 253.
24	Introduced by Harper, Broeder, Gilfeather, Willits, Cerovski, Gerke, Slaby, Twedt, O'Hair, Johnson, Gilligan, McDonald, Gunderson, Holtz, Obstarczyk, Judge: A bill for an act entitled: "An act requiring that meetings of public agencies shall be open to the public and press; and repealing Sections 82-3401, 82-3402, 82-3403, R. C. M. 1947, enacted as sections 1, 2 and 3, respectively, Chapter 159, Laws of 1963."	43, 267, 342, 360, 371, 416, 435, 439, 615.
25	Introduced by Haines, Tracy, Watt: A bill for an act entitled: "An act providing for psychological testing services in the public schools of the state in accordance with the provisions of Chapter 50 of Title 75 of the Revised Codes of Montana, 1947; amending Section 75-5001, R. C. M. 1947, by defining learning problems."	43, 81.
26	Introduced by Deschamps, Zimmer, Meccage, Cregg: A bill for an act entitled: "An act providing for the licensing of livestock markets; amending Sections 46-906, 46-910, and 46-912, R. C. M. 1947; and repealing Sections 46-908 and 46-909, R. C. M. 1947."	44, 192, 211, 212.
27	Introduced by Haines: A bill for an act entitled: "An act appropriating three million dollars for the construction of a library building for Montana State University."	44, 57, 58.
28	Introduced by Gerke, Sheehy, O'Leary, Leuthold, Asbjornson, Jensen: A bill for an act entitled: "An	

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	act amending Section 32-21-113, R. C. M. 1947, to prohibit the shooting of firearms across any public highway in the State of Montana."	44, 72, 79, 81, 85, 93, 615.
29	Introduced by Gerke, Sheehy, O'Leary, Schepens, Jensen, Leuthold, Asbjornson: A bill for an act entitled: "An act making it unlawful to hunt with firearms while intoxicated or under the influence of narcotic drugs and providing a punishment therefor."	44, 182, 186, 210, 211, 225, 515.
30	Introduced by Harper, O'Hair, Judge, McNamara: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by a recipient of retirement benefits, or a widow not gainfully employed to such an extent as would render him ineligible for social security benefits; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	44, 142, 178, 190, 202, 209, 217, 222, 614, 625, 627, 640, 643, 746.
31	Introduced by Judge, Tracy, McNamara, Harper: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by recipients of social security benefits, a widow, or one over the age of sixty-two (62) years not gainfully employed, to such an extent as would render him ineligible for social security benefits; repealing all acts and parts of acts in conflict therewith; and providing for an effective date."	44, 142.
32	Introduced by Watt: A bill for an act entitled: "An act providing for an earmarked account within the general fund reserve of school districts."	45, 186.
33	Introduced by Schepens, Bollinger, Prevost, Lucas: A bill for an act entitled: "An act amending Sections 11-2010, 11-3523 and 11-1901, R. C. M. 1947, to allow fire districts and incorporated municipalities to enter mutual aid agreements with certain public and private agencies."	45, 60, 68, 71, 72, 77, 111, 115, 125, 165, 197.
34	Introduced by Harper, Meccage, Stranahan: A bill for an act entitled: "An act amending Section 43-310, R. C. M. 1947, to provide that members of the legislative assembly shall receive, in addition	

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	to present per diem, reimbursements for expenses incurred in attending the session."	46, 604, 620, 678, 680, 702, 707, 757, 764.
35	Introduced by Sheehy, Lucas, Felt, McNamer, Cerovski: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the laws of Montana Replacement Volume Number 6 (in two parts) and Replacement Volume Number 7 of the Revised Codes of Montana, 1947, as published by the publishers and distributors of said codes."	46, 69, 72, 74, 82, 169, 179, 180, 188.
36	Introduced by O'Leary, McNamer, Gerke, Sheehy: A bill for an act entitled: "An act repealing Section 17-1201, R. C. M. 1947, which is the prohibition against civil causes of action for alienation of affections of husband or wife."	46, 131.
37	Introduced by Lucas, Schepens, Bailey, Ulmer, Cerovski, Broeder, Meccage, Atkins, Gerke, Asbjornson: A bill for an act entitled: "An act providing for the creation and establishment of community college districts, directing state board of education to supervise community colleges and junior colleges; providing for elections to create community college districts; providing for governing board of community college districts and for the election, terms and qualifications of its trustees; providing for powers of board of trustees and powers of community college districts; providing authority for, and financing of, maintenance and operations and capital improvements of community college districts; providing for instruction to be offered by community and junior colleges; authorizing negotiations with school districts for property and providing for adult education courses and exchange of teachers; providing that present junior colleges may be established as community colleges and community college districts; and providing for annexation of additional areas to community college districts; repealing Sections 75-4401, 75-4402, 75-4403, 75-4404, 75-4405, 75-4406, 75-4407, 75-4408, 75-4409, 75-4410, 75-4411, 75-4412, R. C. M. 1947."	46, 186, 211, 237, 240, 257, 613, 663, 665-SA, 706, 707, 729, 851.
38	Introduced by Hanks, Lucas: A bill for an act entitled: "An act relating to surety bonds for state officers and employees: providing that the state controller shall purchase all surety bonds for state officers and employees; establishing requirements and procedures for the purchase of such bonds; amending Sections 5-602, 6-325, 6-326, 6-331, 3-103, 3-205, 4-106, 4-110, 5-603, 26-102, 26-111, 26-115,	

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39	Introduced by Haines, Bardanouve, Flynn, Cregg, Lucas, McNamer, Hanks, Watt, Deschamps: A bill for an act entitled: "An act authorizing the use of electronic voting systems by counties, cities, and towns."	47, 111, 132, 166, 169, 174, 324, 330, 341, 343, 443.
40	Introduced by Lucas, Felt, Bollinger, Fischer: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be arranged on the ballot so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately."	47, 320, 354, 407, 434, 435, 439, 440.
41	Introduced by Bollinger, Felt, Christiansen: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, amending Section 6 of Article XVI of said Constitution relating to the authorization of the legislative assembly to provide for the election or appointment of county, township, precinct and municipal officers, not otherwise in the Constitution, provided as public convenience may require, increasing the limit of time of office from two years to four years."	48, 321.
42	Introduced by Watt, Cregg, Nefzger, O'Hair, Haines, Mather: A bill for an act entitled: "An act amending Section 94-2505, R. C. M. 1947, by deleting reference to the death penalty for murder in the first degree, amending Section 94-8001, R. C. M. 1947, by deleting reference to the death judgment, and repealing Sections 94-8007 through 94-8018, R. C. M. 1947."	54, 205.

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43	Introduced by Haines, Smiley, Watt, Hanks, James, Deschamps, Cregg, Flynn: A bill for an act entitled: "An act appropriating moneys to the six units of the University of Montana for library acquisitions."	54, 180.
44	Introduced by Fischer, Delano: A bill for an act entitled: "An act defining fox as a predatory animal; and amending Section 26-201, R. C. M. 1947."	54, 61, 68, 71, 72, 78, 293.
45	Introduced by Sheehy: A bill for an act entitled: "An act to amend Section 40-4027, Revised Codes of Montana, 1947, by adding thereto a paragraph providing that in disability insurance policies, excepting accident only disability insurance policies, if any such policy has been in effect for two years, such policy shall be renewable at the option of the insured upon the same premium if the insured attains age sixty-five or over while such policy is in effect and further providing that the insured may not waive the inclusion of this provision in such policy."	54, 88, 97, 110, 130, 253.
46	Introduced by Nelson, Ulmer: A bill for an act entitled: "An act to amend Section 32-2173 of the Revised Codes of Montana, 1947, to require the driver of a motor vehicle entering a highway from an approach ramp to yield the right of way to all approaching traffic."	56, 72, 79, 81, 83, 92, 544, 550, 551, 565, 566, 628.
47	Introduced by Harper, Meccage, Schye, Haines and Nichols: A bill for an act entitled: "An act to require reporting of physical abuse of children."	56, 191.
48	Introduced by Lucas, Ulmer, Rehberg, Woodard, Asbjornson, Jensen, Loman: A bill for an act entitled: "An act to amend Section 75-2701, Revised Codes of Montana, 1947, as last amended by Chapter 209, Laws of Montana, 1963, relating to earnable compensation and average final compensation of the Teachers' Retirement System, State of Montana, and repealing all acts and parts of acts in conflict herewith."	56, 69, 266.
49	Introduced by Sheehy, Deschamps, Shugrue, Tracy: A bill for an act entitled: "An act to amend Section 71-209 of the Public Welfare Act relating to submission of a budget and to amend Section 71-501 of the Public Welfare Act relating to the age of eligibility for dependent children."	56, 102, 123, 141, 142, 168, 281, 285, 389, 447, 453, 465, 567, 590, 591, 630, 681, 682, 760, 770, 775, 849.

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50	Introduced by Lombardi, Shugrue, Healy, Tracy, Johnson, O'Leary, Gerke: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by recipients of social security benefits, a widow, or one over the age of sixty-two (62) years not gainfully employed, to such an extent as would render him ineligible for social security benefits; repealing all acts and parts of act in conflict therewith; and providing for an effective date."	56, 70, 142.
51	Introduced by Shugrue, Healy, Lombardi, Tracy, Johnson: A bill for an act entitled: "An act to provide assistance for the aged."	56, 476.
52	Introduced by Zimmer, Christiansen, Meccage, Smith, Deschamps, Watt: A bill for an act entitled: "An act to prohibit the issuance of certificates of number for motorboats or vessels containing toilet facilities unless such toilet facilities are sealed."	59, 89, 182.
53	Introduced by Zimmer, Christiansen, Meccage, Smith, Deschamps, Watt: A bill for an act entitled: "An act to prevent water pollution by prohibiting the discharge of waste from boats and prohibiting the operation of boats containing open toilet facilities."	59, 89, 252, 272, 293, 304, 315, 582, 595, 604, 625, 627, 640, 643, 746.
54	Introduced by Haines: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 11, Article XI of the Constitution of Montana removing the elected officials from the State Board of Education."	59, 234.
55	Introduced by Aasheim, Raundal, Lucas, Twedt: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 9, Article XIX of the Constitution of Montana to permit not more than seven constitutional amendments to be submitted at the same election."	59, 320, 344, 388, 401, 418, 582.
56	Introduced by Flynn, Cregg, Johnson, Deschamps, Haines, Watt, Lombardi, Shugrue, Cerovski, Tracy: A bill for an act entitled: "An act creating an air pollution control council, defining its powers and duties, defining 'air pollution' and other terms, providing for enforcement of the	

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	rules, regulations and orders of the council, and appropriating funds to carry out its provisions.”	59, 299, 344, 387, 396, 411, 415, 425, 427, 613, 663, 664-SA, 706, 707, 729, 737, 745, 788.
57	Introduced by Judge, Bardanouve: A bill for an act entitled: “An act appropriating moneys from the state parks account in the earmarked revenue fund to the State Highway Commission.”	59, 69, 86, 89, 105, 107, 121, 200, 249, 260-SA, 270, 280, 343.
58	Introduced by Judge, Pierce: A bill for an act entitled: “An act to amend Section 19-107, R. C. M. 1947, relating to legal holidays and business days and holidays for banks practicing Saturday closing.”	59, 83, 89, 105, 107, 121, 200, 205, 206, 211, 215, 236.
59	Introduced by Pierce, Judge: A bill for an act entitled: “An act to amend Sections 5-201 and 5-217, R. C. M. 1947, relating to articles of incorporation of a state bank and amendments to such articles and providing that articles of incorporation and amendments thereto may provide for a flexible number of directors of a state bank.”	59, 83, 89, 105, 107, 121, 200, 205, 206, 211, 215, 236.
60	Introduced by Zimmer, Shugrue, James, Schepens: A bill for an act entitled: “An act amending Sections 11-2007, 11-2022, 11-2023, 11-2024, 11-2025, 11-2029 and 11-2030, R. C. M. 1947, to establish a state pension plan for volunteer firemen; providing for funding and administration of said pension plan; prescribing requirements for participation in said pension plan; prescribing method of filing claims and making pension payments; providing for increase of the portion of premium taxes to be deposited in the earmarked revenue fund under Section 11-2030 from five per cent (5%) to fifteen per cent (15%) of said premium taxes collected from insurance companies authorized to effect insurance against risks enumerated in sub-section 2 of Section 11-1919 as shall remain after the amounts provided for by Section 11-1919 shall have been first deducted; providing for establishment of training programs for volunteer firemen to establish eligibility under said pension plan and providing for certificates showing participation in such training programs; requiring copies of the report of the Industrial Accident Board under Section 11-2099 to be made available to the chiefs or the representatives of	

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	volunteer fire companies; and providing for an effective date."	59, 213, 250, 272, 284, 304, 315, 555, 568, 579-SA, 607, 608, 611, 661.
61	Introduced by Gilligan, Lombardi, Sullivan, Johnson, Shugrue, Tracy, Slaby: A bill for an act entitled: "An act to amend Section 87-109, R. C. M. 1947, of the Unemployment Compensation Law; providing that employers' contributions shall be paid on ninety percent (90%) of all wages paid employees; repealing a superfluous paragraph which was amended into the statute by mistake; providing an effective date."	62, 476.
62	Introduced by Watt, Haines, Tracy: A bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction for the biennium ending June 30, 1967; providing that this appropriation shall be used to provide psychological testing services only, pursuant to Title 75, Chapters 14 and 50, Revised Codes of Montana, 1947."	62, 172, 177.
63	Introduced by Haines, Flynn, Deschamps, Watt, Cregg: A bill for an act entitled: "An act allowing municipalities to provide measures against excavations."	62, 94.
64	Introduced by Gunderson, McDonald: A bill for an act entitled: "An act amending Section 75-1904 R. C. M. 1947, to provide for the cooperation of the public health nurse or school nurse in taking a census of handicapped children and providing that such a census be conducted at least once every four years as directed by the State Superintendent of Public Instruction in cooperation with the State Board of Health."	62, 89, 97, 110, 130, 582, 596, 602-SA, 645, 646, 668, 669, 838.
65	Introduced by Prevost by request: A bill for an act entitled: "An act to amend Section 82-1519, R. C. M. 1947, to provide that the salary of the chairman of the State Board of Hail Insurance shall be fixed by the board; and containing an effective date."	62, 86.
66	Introduced by McNamara, Delano: A bill for an act entitled: "An act to amend Section 31-114, R. C. M. 1947, which provides for disposition of fees, fines, and forfeitures collected from persons apprehended or arrested by highway patrolmen for highway violations; by providing that twenty-five percent (25%) of all such fees, fines and forfeitures shall be paid to the general fund of the county in which they are collected for the support	

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	of the Justice of the Peace courts and county law enforcement facilities."	62, 126.
67	Introduced by Deschamps: A bill for an act entitled: "An act to remove quotas on liquor and beer licenses; amending Sections 4-318, 4-333, 4-341, 4-403, 4-410, R. C. M. 1947."	64, 97.
68	Introduced by Fischer, Atkins, Pierce, Lucas: A bill for an act entitled: "An act to amend Section 26-202.3, R. C. M. 1947, to clarify the definition of a resident for hunting and fishing license purposes."	64, 72, 79, 81, 83, 92, 515.
69	Introduced by Fischer, Atkins, Lucas, Pierce: A bill for an act entitled: "An act to amend Section 26-217, R. C. M. 1947, providing for the application for license under the Montana fish and game laws, prescribing penalty for subscribing to any false statement in application for any license, or for altering or transferring any license, or for using or possessing any license which contains any false statement, and repealing Section 26-204, R. C. M. 1947."	64, 72, 79, 81, 83, 92, 293, 499.
70	Introduced by Bailey, McDonald, Rygg, O'Hair, Nefzger, Jensen: A bill for an act entitled: "An act limiting the liability of a landowner or tenant to persons permitted to enter lands for recreational purposes, and defining recreational purposes."	64, 83, 89, 105, 107, 122, 595, 607, 608, 611, 701.
71	Introduced by Twedt, Haines, Holtz, Schepens: A bill for an act entitled: "An act providing for the adoption of orderly procedures for establishing desirable employment practices for registered professional and licensed practical nurses employed in health care facilities; establishing procedures for developing employment standards; providing machinery and peaceful arbitration of disputes; providing rule making authority to the State Board of Health."	64, 182, 196, 218, 225, 230, 238, 555, 563, 575, 595, 610, 619, 640, 644, 652, 668, 669, 712.
72	Introduced by Deschamps, Flynn, Egan, Watt: A bill for an act entitled: "An act to authorize the incorporation of development credit corporations for the purpose of promoting, developing, and advancing the prosperity and economic welfare of the state."	64, 348, 389, 434, 443, 449, 615.
73	Introduced by Jensen, Mather, Schepens, Lewis, Slaby, Spilde, Obstarczyk: A bill for an act entitled: "An act relating to the Public Employees'	

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	Retirement System and contracts between municipal corporations, counties and public agencies, and amending Section 68-301, R. C. M. 1947."	64, 66, 94, 106, 120, 131, 141, 566, 584, 585, 591, 594, 661.
74	Introduced by Bailey, McDonald, O'Hair, Jensen: A bill for an act entitled: "An act providing for liability of a person on the land of another for any damages arising because of his negligence; and providing that the damage to the property shall be prima facie evidence of negligence."	64, 192, 205, 231, 239, 256, 458, 575.
75	Introduced by Highways Committee: A bill for an act entitled: "An act to establish uniform and modern regulations relating to brakes on vehicles: requiring brakes on all vehicles and specifying exceptions thereto; requiring vehicles to be equipped with both service and parking brakes; establishing performance ability of brakes; defining hydraulic brake fluid; authorizing patrol board to adopt brake fluid standards and specifications; prohibiting the sale of brake fluid which does not meet specifications; repealing Section 32-21-143, R. C. M. 1947, and all acts or parts of acts in conflict herewith."	64, 123, 141, 142, 168, 566, 584, 585, 591, 594, 701.
76	Introduced by Deschamps, Hanks, Watt, Flynn, Rehberg, Haines: A bill for an act entitled: "An act providing for the unit ownership of multiple-unit buildings, and to be cited as the unit ownership act."	66, 133, 178, 185, 186, 196, 567, 584, 585, 591, 594, 661.
77	Introduced by O'Hair, Cummings, Bailey, Tracy. Harper: A bill for an act entitled: "An act amending Section 26-202.1 to allow certain residents to hunt game birds without a license."	66, 72, 79, 81, 84, 98, 110, 131, 230, 239, 245, 270, 705, 781.
78	Introduced by Egan, Felt, Bashor: A bill for an act entitled: "An act establishing a State Merit System providing for the recruiting, examination, classification, compensation and dismissal of state employees; appropriating moneys for the operation of the State Merit System; amending Sections 3-105, 26-106, 26-107, 27-404, 31-105, 46-208, 53-101, 81-203 and 84-705, R. C. M. 1947; and repealing Sections 4-108, 25-504, 26-108, 26-116, 59-901, 59-902, 59-1201 through 59-1215, 80-707.2 through 80-707.5 and 82-1907, R. C. M. 1947."	66, 342, 349, 662.

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79	Introduced by O'Leary, Atkins, Willits, Flynn: A bill for an act entitled: "An act to amend Section 87-109, R. C. M. 1947, of the Unemployment Compensation Law; by providing the employees' wages up to and including four thousand eight hundred dollars (\$4,800) are subject to employer contributions; repealing a superfluous paragraph which was unintentionally amended into the statute by Section 3, Chapter 269, Laws of 1963; providing an effective date."	67, 476.
80	Introduced by Woodard, Rehberg: A bill for an act entitled: "An act pertaining to the registration of motor vehicles; requiring removal of license plates from motor vehicles upon transfer of ownership; authorizing original owner to transfer license plates from original motor vehicle to another motor vehicle acquired during current registration year upon proper application and payment of fees and taxes, if any; requiring new application and registration for all motor vehicles transferred; and amending Sections 53-114, 53-106, 53-108, 53-109, 53-115, 53-119, 53-106.6 and 53-622, R. C. M. 1947."	67, 89, 252.
81	Introduced by Judge, Aasheim, Watt: A bill for an act entitled: "An act to amend Section 75-2707, R. C. M. 1947, pertaining to retirement at age of seventy of members of the Teachers' Retirement System, and providing the exception to required retirement."	67, 69, 196, 197, 208, 231, 239, 255, 514, 543, 544, 554, 556, 566.
82	Introduced by Laas, Broeder: A bill for an act entitled: "An act providing for the disposition of, and creating, eliminating, and adjusting certain fees collected by the State Auditor, Department of Agriculture, State Board of Equalization, State Board of Health, Highway Patrol, Commissioner of State Lands and Investments, Board of Railroad Commissioners, Registrar of Motor Vehicles, and Superintendent of Public Instruction; amending Sections 3-2411, 3-2410, 3-2466, 3-2301, 3-2417, 3-2313, 3-2312, 69-1910, 84-2402, 84-2404, 84-2405, 84-2406, 84-2407, 69-518, 69-2905, 31-138, 53-420, 81-419, 81-1113, 81-428, 81-426, 8-108, 8-109, 8-110, 53-108, 53-110, 53-112, 53-113, 53-117, 53-122, 53-139, 75-2521 and 75-3503, R. C. M. 1947."	67, 348, 389, 434, 447, 448, 451, 582, 596, 611, 661.
83	Introduced by Slaby, Lombardi, Haines, McNamara, Judge: A bill for an act entitled: "An act to protect local employees; prohibiting the employment, recruitment and furnishing of professional strike breakers; defining strikebreakers; prescribing penalties; providing an effective date."	67, 243, 272, 294, 298, 311, 546.

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84	Introduced by Leuthold, Nichols, Broeder, Hanks, Cerovski, Parker, Asbjornson, Haines, Nelson, MacCalman: A bill for an act entitled: "An act apportioning the Legislative Assembly; amending Sections 23-803, 23-910, 23-921, 23-929, 23-1109, 23-1111, 23-1807, 23-1812, 23-1904, 23-2402, and 23-2403, R. C. M. 1947; and repealing Sections 43-101, 43-102, 43-103, 43-104, 43-105, 43-106, 43-203, 43-204, 16-508, 16-518, 23-1809, 23-1810, and 23-1811, R. C. M. 1947."	67, 323, 360, 393, 401, 422, 644, 750, 753.
85	Introduced by Haines, Harper: A bill for an act entitled: "An act providing for the reporting of physical abuse of children; providing for action to be taken by the county Department of Public Welfare in cases where such reports are made; providing immunity from liability for those persons participating in making such reports; and providing for the admissibility of such reports into evidence in proceedings which result from the making of such reports."	70, 190, 211, 232, 239, 255, 567, 590, 599-SA, 625, 627, 640, 643, 762.
86	Introduced by Nutting, Mather, Tooke, Rehberg, Lucas, James: A bill for an act entitled: "An act requiring the inclusion of a fiscal note in all bills having an effect on the revenues, expenditures or fiscal liability of the state."	71, 306, 342, 386, 389, 409, 494, 510, 518-SA, 559, 565, 566, 628.
87	Introduced by Christiansen, Watt, Smiley, Lund: A bill for an act entitled: "An act amending Sections 75-2516 and 75-2518, R. C. M. 1947, relating to certification of elementary teachers."	71, 89, 106, 120, 131, 141, 515, 543, 544, 554, 556, 566.
88	Introduced by Mather, Jensen, Loman, Swanz, Mecage, Nefzger: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana for the repeal of Section 4 of Article V of the Constitution of the State of Montana, and the adoption of a new Section 4, Article V of the Constitution of the State of Montana, relating to the apportionment, composition and membership of the Senate and House of Representatives and providing for the number of members of both houses, the size and number of districts from which they come, the weighting of votes of the Senators and Representatives in proportion to population by giving to each Senator and Representative one vote for each 1000 of population in his district, establishing maximum of 15 votes per Senator or Representative, providing	

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	for regular reapportionment, providing for staggered election of Senators and the means of accomplishment thereof and the time of their election and the terms thereof, providing for a binding construction on other phrases in the Constitution and Statutes of Montana on the meaning of such phrases as "by vote of the majority of the members" and other similar phrases, to mean weighted vote, requiring submission of all legislation in committees in both houses to be submitted to their respective legislative body for consideration, and modifying or repealing all rules, regulations, statutes or constitutional provisions in conflict herewith."	72, 702, 747, 748.
89	Introduced by Pierce, Christiansen: A bill for an act entitled: "An act to provide the State Fish and Game Commission authority to enter into reciprocity agreements with any neighboring state for the mutual licensing of fishermen on any part of lakes and reservoirs within or partly within ten (10) miles of state boundaries."	73, 98, 123, 130, 133, 167, 281, 303, 316-SA, 324, 327, 329, 437.
90	Introduced by Nutting, Mather, Dye, Casey: A bill for an act entitled: "An act amending Section 23-902, R. C. M. 1947, to change the date of the primary nominating election to the third Tuesday in September; amending Section 23-929, R. C. M. 1947, to change the time for holding the county convention made necessary by the change of the date of the primary nominating election; amending Section 23-932, R. C. M. 1947, to change the time for holding the state platform convention made necessary by the change of the date of the primary nominating election; amending Section 23-807, R. C. M. 1947, to provide the period for filing certificates of nomination with the Secretary of State and the County Clerk; amending Section 23-809, R. C. M. 1947, to provide the period in which the Secretary of State must certify to the County Clerks the names of persons nominated in certificates of nomination."	73, 361.
91	Introduced by Aasheim, Jensen, Judge, Christiansen, Rygg, Holtz, Slaby, Twedt: A bill for an act entitled: "An act to provide for driver education prescribing certain penalty assessments and driver's license fees for the financing thereof; creating an automobile driver education account in the earmarked revenue funds; providing for the duties of the Superintendent of Public Instruction; providing for the reimbursement to school districts and county high schools qualifying under this act; amending Section 31-114, R. C. M. 1947; amending Section 1, Chapter 149, Laws of 1961, compiled as Section 94-801.2, R. C. M. 1947;	

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	amending Section 32-1131, R. C. M. 1947; and providing a severability clause."	73, 107, 509, 521, 554, 571, 629, 667, 673-SA, 706, 707, 729, 737, 838.
92	Introduced by Aasheim, Christiansen, Rygg, Slaby: A bill for an act entitled: "An act concerning the age at which an operators license may be issued; amending Section 31-127, R. C. M. 1947."	73, 391, 453, 454, 468, 669, 706, 707, 729, 737, 838.
93	Introduced by Wayrynen, Fischer: A bill for an act entitled: "An act providing that coroners in first and second class counties must be physicians; requiring county commissioners in first and second class counties to appoint the Coroner County Health Officer; and requiring appointment of a physician in first and second class counties to perform duties of the coroner if the coroner is absent or unable to perform the duties of the office; amending Sections 16-3405 and 69-701, R. C. M. 1947."	73, 123, 401.
94	Introduced by McNamer, Bashor: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article IX of the Constitution of Montana excepting persons voting for president and vice-president from the one year residency requirement and providing that residency for such elections may be prescribed by law."	74, 320, 344, 388, 401, 412, 416, 614.
95	Introduced by McNamara, Watt, Bashor: A bill for an act entitled: "An act to amend Section 77-909 of the Revised Codes of Montana, 1947, as amended by Chapter 141, Section 1, Laws of 1957, relating to providing educational opportunities in the units of the greater universities of Montana for the children of members of the armed forces of the United States killed while in the armed forces of the United States or dying as a result of a disability or disease incurred while in said service during World War II and/or the Korean conflict; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	74, 142, 178, 185, 186, 195, 582, 607, 608, 611, 711.
96	Introduced by Holtz, Gunderson, Gilligan, Cummings, Willits: A bill for an act entitled: "An act to repeal the provisions of Title 92, Chapter 10, R. C. M. 1947, as amended; providing for the discontinuance of private insurance of the employers liability to pay compensation and benefits under the Workmen's Compensation Act; repealing Plan II Coverage in industries electing to come within	

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	the Workman's Compensation Act; repealing Sections 92-1001, 92-1002, 92-1003, as amended; 92-1004 as amended, 92-1005, as amended, 92-1006, 92-1007, 92-1008 as amended, 92-1009, 92-1010, 92-1012, Revised Codes of Montana, 1947; providing for extension of the provisions of certain of the sections repealed to protect existing contracts and liabilities."	74, 242.
97	Introduced by Judge, Loman: A bill for an act entitled: "An act to amend subsection (a) of Section 47-210, R. C. M. 1947, relating to the maximum rates of charge under the Montana consumer loan act and to amend Section 47-214, R. C. M. 1947, relating to insurance and authorizing that credit life insurance may be provided by a licensee and providing conditions concerning such insurance."	76, 107, 123, 141, 142, 168, 281, 303, 316-SA, 324, 327, 329, 437.
98	Introduced by Johnson, Bardanouve: A bill for an act entitled: "An act to amend Section 80-1304 R. C. M. 1947 (Section 4, Chapter 213 of the Laws of 1963), pertaining to the assessment of per diem charges for the care and maintenance of inmates of state institutions against responsible persons and counties, by repealing subsections 4 and 5 which provide for the assessing of charges for inmate care against the counties of the inmates' residence."	76, 306, 354, 388, 408.
99	Introduced by James, Christiansen, Watt, Lund: A bill for an act entitled: "An act amending Section 75-1625, 75-1630, 75-4146, and 75-4230, R. C. M. 1947, relating to the attendance of children in schools outside the county of their residence and outside the state of their residence."	76, 266, 317, 335, 344, 378, 644.
100	Introduced by Gill, Judge, Rygg: A bill for an act entitled: "An act to amend Section 53-101, R. C. M. 1947, as amended by Chapter 208 of the Session Laws of the Thirty-fifth Legislative Assembly, 1957, relating to duties and records of the Registrar of Motor Vehicles by providing a more extensive record in the case of dealers; to amend Section 53-102, R. C. M. 1947, as amended by Chapter 122 of the Session Laws of the Thirty-seventh Legislative Assembly, 1961, relating to penalty for violation and enforcement of provisions by deleting Section 53-118 from the penalty provision thereof; to amend Section 53-118, R. C. M. 1947, as amended by Chapter 245 of the Session Laws of the Thirty-fourth Legislative Assembly, 1955, relating to applications for dealers licenses by providing for qualification of dealers for licensing and providing a penalty for violation	

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	of the section; to amend Section 53-133, R. C. M. 1947, relating to definitions with regard to motor vehicle registration by changing the definition of dealer to conform with Section 53-118; repealing Section 53-138, R. C. M. 1947; providing a savings clause; and repealing all acts and parts of acts in conflict herewith."	76, 98, 123, 140, 141, 142, 168, 644, 705, 739-SA, 760, 761, 770, 775, 849.
101	Introduced by Gill, Judge, Rygg: A bill for an act entitled: "An act to amend Section 53-122 R. C. M. 1947, pertaining to registration fees of motor vehicles by increasing the fee for dealers in motor vehicles other than motorcycles from thirty dollars (\$30.00) to sixty dollars (\$60.00).	77, 98, 106, 124, 172, 180, 181, 194, 575.
102	Introduced by Schepens, Cummings, McDonald, Bolinger, Meccage, Stranahan, Harper, O'Hair, Sartz, Prevost, Eklund, Aasheim, Gerke, O'Leary, Flynn, Hanks, Gunderson, Twedt, Nefzger, Deschamps: A bill for an act entitled: "An act to provide a comprehensive facility for diagnosis, evaluation, treatment, rehabilitation, professional in-service training, community consultative and preventive services and research in the fields of mental health, mental retardation, guidance and juvenile rehabilitation in Montana; creating an advisory council; and appropriating \$1,800,000 to the Department of Public Institutions for purchase of site and the construction and equipping of such facility."	77, 209, 233, 253, 671, 702, 817.
103	Introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volumes 2 and 5, and the 1965 cumulative pocket supplements of the Revised Codes of Montana of 1947."	77, 83, 89, 105, 107, 123, 200, 205, 206, 211, 215, 236.
104	Introduced by Leuthold, Stranahan, Meccage, Schepens: A bill for an act entitled: "An act extending the time to file a declaration of vested ground water rights, and amending Section 3, Chapter 237, Laws of 1961, compiled as Section 89-2913, R. C. M. 1947."	77, 107, 131, 166, 169, 174, 483, 488, 489, 493, 494, 514.
105	Introduced by Wayrynen, Tracy, Lombardi, Healy, Shugrue: A bill for an act entitled: "An act amending Section 43-107, R. C. M. 1947, to redefine congressional districts."	77.

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106	Introduced by Appropriations Committee: A bill for an act entitled: "An act appropriating money to the state parks division for the biennium ending June 30, 1965."	79, 83, 89, 105, 107, 122, 200, 205, 206, 211, 215, 236, 609.
107	Introduced by Hall, Sheehy: A bill for an act entitled: "An act imposing limitations and conditions upon the continued existence of clouds on title of real property; providing for the marketability of titles to real property; amending Sections 33-106, 93-2607 and 93-2703, Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	79, 244.
108	Introduced by Johnson, Casey, MacCalman: A bill for an act entitled: "An act to amend Section 1. Chapter 248, Laws of Montana, 1963, compiled as Section 40-3905.1, Revised Codes of Montana, 1947, relating to group life and health insurance for state officers and employees, to provide that the state shall contribute five dollars (\$5) of the monthly premiums per insured officer or employee."	79, 233, 266, 293, 301, 818.
109	Introduced by Woodard, Pierce, Stranahan: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article IX of the Constitution of Montana relating to the qualifications of electors when the question submitted concerns the creation of any levy, debt or liability."	80, 184, 346.
110	Introduced by Bardanoue, Egan, Eskildsen: A bill for an act entitled: "An act amending Section 43-107, R. C. M. 1947, to redefine congressional districts."	80, 787, 796, 798, 804.
111	Introduced by Healy, Crum, Smiley, Lombardi, Tracy, Shugrue, McNamara: A bill for an act entitled: "An act to amend Section 16-1001, R. C. M. 1947, relating to powers of supervision of boards of county commissioners; providing that the board of county commissioners may, in its discretion, pay proper charges for insurance providing indemnity to any county officer against liability for loss, without fault, of money, securities, or other property; repealing acts or parts of acts in conflict herewith."	80, 142, 178, 185, 186, 195, 324, 330, 341, 343, 437.
112	Introduced by Broeder, Rygg: A bill for an act entitled: "An act providing that the Montana Soldiers Home is and shall remain at Columbia Falls."	80, 191, 348.

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113	Introduced by Deschamps, Flynn: A bill for an act entitled: "An act changing Western Montana College of Education, Northern Montana College and the Montana School of Mines into vocational-technical schools; amending Sections 75-107, 75-301, 75-605, and 75-903, R. C. M. 1947; and repealing Sections 75-401, 75-402, 75-402.1, 75-601, 75-602, 75-603, 75-604, 75-610, 75-901, 75-902, 75-904, 75-905, 75-906, 75-907, 75-1001, 75-1002, 75-1003, 75-1006, and 75-1007, R. C. M. 1947."	80, 172.
114	Introduced by Felt, Pierce, Lucas, Dye, Haines, Rygg, Broeder, Rehberg, Woodard, James, Asbjornson, Delano, McNamer: A bill for an act entitled: "An act providing for the issuance and sale of limited obligation bonds in a sum not exceeding thirty million dollars, for the purpose of retiring all of the outstanding war veterans' compensation bonds, Korean War veterans' compensation bonds, and World War I veterans' compensation bonds issued and sold under the authority of initiative measure No. 54, as amended by Chapter 44, Laws of 1957, and as further amended by Chapter 270, Laws of 1963, and for the purpose of financing the construction and equipping of, and acquisition of grounds for, such buildings as may now or hereafter be authorized under the long range building program provided for in Sections 15 to 20, inclusive, of Chapter 271, Laws of 1963; providing that the State Treasurer, with the approval of the State Board of Examiners, shall set aside from the proceeds of the bonds issued hereunder, the funds necessary for payment or redemption of all of the outstanding war veterans' compensation bonds, Korean War veterans' compensation bonds, and World War I veterans' compensation bonds; providing for the retirement of the bonds issued and sold hereunder out of the proceeds of the cigarette tax; amending Sections 84-5606 and 84-5621, R. C. M. 1947; and providing an effective date."	80, 205, 362, 370.
115	Introduced by Mather, Jensen, Loman, Swanz, Neffzger, Meccage: A bill for an act entitled: "An act apportioning the Legislative Assembly and providing for weighted voting on the basis of the population of the county from which a member is elected; repealing Sections 43-101 through 43-106, 43-203 and 43-204, R. C. M. 1947."	84, 702, 747, 748.
116	Introduced by Watt, Deschamps, Cerovski: A bill for an act entitled: "An act to permit seventh and eighth grade pupils of elementary schools to be considered as pupils of secondary schools for budget and foundation program purposes under certain conditions; providing that this act shall be numbered 75-3611.1, R. C. M. 1947; providing an effective date."	84, 265, 301, 476.

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117	Introduced by Schepens, Hall: A bill for an act entitled: "An act to amend Chapter 24 of Title 69 Revised Codes of Montana, 1947, by amending Section 69-2401 by adding thereto subsection (e) to define the term 'welfare,' where used in the said chapter; by amending Section 69-2405 pertaining to rules and regulations and to eliminate certain hearing procedures therein set forth; and by adding to the said chapter following Section 69-2406 therein, new sections numbered 69-2407 and 69-2408 setting forth new hearing procedures and providing for judicial review."	84, 234, 272, 303, 318, 336.
118	Introduced by Schepens, Hall: A bill for an act entitled: "An act to amend Section 69-1802, Revised Codes of Montana, 1947, to include boarding and nursing homes for aged persons in those buildings covered by the provisions of Chapter 18 of Title 69, Revised Codes of Montana, 1947, relating to fire safety requirements and inspection."	84, 234, 266, 293, 298, 312, 483, 488, 489, 493, 494, 514.
119	Introduced by Judge, Loman, Pierce, Gill: A bill for an act entitled: "An act to create a periodic motor vehicle inspection division under the control and supervision of the Montana Highway Patrol Board; providing Highway Patrol personnel to operate program; requiring legislative appropriation to finance program; making it unlawful to drive or move defective or unsafe vehicles; authorizing officers to inspect or require vehicle to be inspected by issuing notices; requiring obedience to inspection laws; authorizing board to promulgate rules and regulations relating to mechanism and equipment to be inspected; designating official inspection stations; and publicizing location of same; establishing qualification and duties of inspection stations; fixing fees for inspections and inspection certificates; providing all monies collected shall be deposited in state general fund; prohibiting misrepresentation as official station or issuance of false certificates; providing for exemptions from act; establishing penalty for violation of act; providing for severability and repealing Sections 32-21-154, 32-21-155, 32-21-156, R. C. M. 1947 and all acts or parts of acts in conflict herewith."	84, 396, 781.
120	Introduced by Bashor, Judge, Sheehy, Felt, Broeder: A bill for an act entitled: "An act to amend Section 84-6204, Revised Codes of Montana, 1947, relating to the computation of net proceeds by subtracting certain items from the value of gross products; and relating to the deduction of drilling costs and capital expenditures; providing for prorating expenditures of drilling dry holes among producing wells in the State of Montana; providing for the repeal of certain provisions relating to	

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	deductions for the year 1953; and repealing all acts and parts of acts in conflict herewith."	86, 186, 202, 225, 231, 232, 236.
121	Introduced by Bardanouve, Leuthold: A bill for an act entitled: "An act to amend Sections 81-304, 81-402, 81-413, 81-421, 81-502, 81-802, 81-903, 81-915, and 81-919, R. C. M. 1947, providing for the exchange of state lands and the validation of prior action of the State Board of Land Commissioners; providing the Commissioner of State Lands may authorize a lease on a basis other than crop share in certain cases; providing for the determination by the Commissioner of State Lands of the highest and best use of certain lands, improvements by lessee on state lands, the terms and renewal of coal mining leases of state lands, granting of easements in state lands, terms in sale of state lands, state lands not subject to sale, and settlement for improvements by lessee on state lands sold; repealing Sections 81-417, 81-432, 81-433.1, and 81-435, R. C. M. 1947."	86, 234, 285, 308, 329, 359, 387, 400, 613, 667, 673-SA, 760, 770, 775, 849.
122	Introduced by Schye, Swanz, Gerke, Healy: A bill for an act entitled: "An act providing for the protection of the public health by establishing controls of refuse disposal areas, defining terms used in the act, prohibiting dumping in unlicensed areas, requiring a license to be obtained from the local, county or district health officer, requiring the State Board of Health to approve disposal areas, authorizing revoking the license, authorizing the State Board of Health to promulgate rules and regulations, excluding refuse disposal by an individual of his own household refuse on his own property from this act, eliminating the payment of an annual fee by governmental agencies, setting forth payments, repealing all acts and parts of acts in conflict with this act."	87, 240, 285, 308, 327, 341, 507, 511, 520, 521, 566.
123	Introduced by Cummings, Watt, Cerovski: A bill for an act entitled: "An act amending Section 75-4607, R. C. M. 1947 to reduce the period between original division and alteration of high school building districts."	87, 172, 186, 202, 205, 219, 567, 580, 581, 585, 589, 701.
124	Introduced by Cummings, Watt, Cerovski: A bill for an act entitled: "An act providing for formation and control of joint school districts; repealing Section 75-1814, R. C. M. 1947."	87, 172, 186, 202, 205, 219, 567, 580, 581, 585, 589, 701.

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125	Introduced by Sheehy, O'Leary, Gerke, Cerovski: A bill for an act entitled: "An act amending Sections 36-202 and 36-204, R. C. M. 1947, for the purpose of protecting the rights of children and to promote and protect the family life in the institution of matrimony by providing a means for reconciliation of spouses and the amicable settlement of domestic and family controversies."	87, 321.
126	Introduced by Broeder, Judge, Loman, Bailey: A bill for an act entitled: "An act to amend Section 84-1812(1) R. C. M. 1947, to allow an annual expenditure of one hundred and ninety-five thousand dollars (\$195,000) for the dissemination of public information."	87, 305.
127	Introduced by Sullivan, Tracy: A bill for an act entitled: "An act amending Section 26-202.1, R. C. M. 1947, to provide certain restrictions on certain game licenses; and including a requirement for guides for nonresident elk hunters."	87.
128	Introduced by O'Hair, Meccage, Garrison, Nutting: A bill for an act entitled: "An act to amend Section 16-2818, R. C. M. 1947, to provide for payment of costs of medication, medical services and hospitalization incurred by prisoners."	87, 209, 223, 237, 240, 259, 614, 625, 626, 627, 640, 643, 762.
129	Introduced by Leuthold, Lund, Williams, Bardanoue, Gill: A bill for an act entitled: "An act appropriating twenty-five thousand dollars to the Commissioner of State Lands and Investments for a comprehensive study of state land policy."	87, 767, 770, 774, 778, 781, 788.
130	Introduced by Bollinger, Schepens, Cummings, Haines, Atkins: A bill for an act entitled: "An act to regulate manufacturers and purveyors of food and drink, and establishments preparing or storing food for human consumptions; defining terms; providing for licensure and license fee; and providing procedure for cancellation or denial of license; providing for control of persons working when afflicted with contagious or infectious disease; empowering State Board of Health of Montana to make and enforce all necessary regulations including sanitary standards for such establishments and, to establish cooperative agreements with other Montana agencies; providing for inspections, sampling, and report of inspection; making reports of inspections evidence; prescribing penalties; providing for fee required by this act to supercede other fees for same purpose; directing that unconstitutionality of a part of this act shall not affect or impair the remainder;	

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	and repealing Section 27-111, Revised Codes of Montana, 1947, as amended or supplemented."	87, 186, 211, 232, 239, 255, 545, 546, 556-SA, 572, 585, 588, 661.
131	Introduced by McNamara, O'Leary, Judge, Gerke: A bill for an act entitled: "An act authorizing any and all departments of the State of Montana to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees and their dependents; limiting the departmental contribution to five dollars (\$5.00) per month for each officer and employee and their dependents."	89, 234, 500, 671, 817.
132	Introduced by Haines: A bill for an act entitled: "An act amending Section 16-3101, R. C. M. 1947, to make county attorneys counsel for fire districts in unincorporated territories, towns or villages."	89, 142, 175, 185, 186, 194, 209, 225, 324, 330, 341, 343, 437, 500, 628.
133	Introduced by Cummings, Pierce, Bollinger: A bill for an act entitled: "An act to amend Section 32-2177 of the Revised Codes of Montana, 1947, relating to pedestrians' right of way in cross-walk; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	89, 241, 266, 293, 298, 310, 544, 550, 551, 565, 566.
134	Introduced by Bollinger, Cummings, Pierce: A bill for an act entitled: "An act to establish school safety patrols; empowering the governing board or other directing authority of any school and other educational institutions, both public and private, to authorize the organization and supervision of school safety patrols for the purpose of influencing and encouraging other pupils to refrain from crossing public highways at points other than regular crossings, and for the purpose of directing pupils when and where to cross highways; providing for the qualification and appointment of members of school safety patrols; providing that no liability shall attach to the establishments of school safety patrols; providing for identification and operation of school safety patrols; providing for the training of school safety patrol members; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	90, 215, 233, 264, 277, 294, 567, 590, 599-SA, 625, 626, 627, 640, 643, 746.
135	Introduced by Cregg: A bill for an act entitled: "An act to submit to the electors of Montana an	

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	amendment to Section 2, Article XIX of the Constitution of Montana to permit the Legislative Assembly to authorize state-operated lotteries or gift enterprises."	90, 183, 476.
136	Introduced by O'Hair, Eklund, Slaby, Twedt: A bill for an act entitled: "An act relating to the administration of state lands, the rule making power of the State Board of Land Commissioners and the appointment of the Commission of Lands and Investments; amending Sections 81-103, 81-201 and 81-203, R. C. M. 1947; and repealing Sections 81-209, 81-423, and 81-913 R. C. M. 1947."	90, 233, 272, 303, 318, 329, 336, 582, 607, 608, 611, 744.
137	Introduced by Hall, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend Section 79-301, Revised Codes of Montana, 1947, as amended, relating to the duties of the State Depository Board and State Treasurer and the funds in the hands of the State Treasurer to provide authority to deposit public moneys in savings and loan associations in addition to solvent banks located in the State of Montana and providing a repealing clause."	90, 176, 177.
138	Introduced by Hall, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend Section 79-302, Revised Codes of Montana, 1947, relating to the interest requirements on deposits of public funds to include savings and loan associations in addition to banks and providing a repealing clause."	90, 176, 177, 495.
139	Introduced by Hall, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend Section 16-2618, Revised Codes of Montana, 1947, as amended, relating to the deposit of public funds by county, city and town treasurers to provide authority to deposit public funds in savings and loan associations in addition to solvent banks located in the county, city or town of which such treasurer is an officer and providing a repealing clause."	90, 176, 177.
140	Introduced by Hall, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend Section 16-2619 Revised Codes of Montana, 1947, relating to cashier's checks of federal reserve banks as security for deposit of public funds to provide authority to accept cashier's checks issued by savings and loan associations in addition to banks and providing a repealing clause."	90, 177.
141	Introduced by Pierce, Gerke, Schye: A bill for an act entitled: "An act to permit the movement of trucks and trailers for demonstration purposes; providing for a permit therefor; providing for the fee for such permit; providing for the issuance, validation and duration of such permits; provid-	

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	ing for a penalty and providing for the disposition of fees."	90, 124, 132, 166, 169, 174, 507, 511, 520, 521, 566.
142	Introduced by McNamer, MacCalman: A bill for an act entitled: "An act to amend Sections 93-701-4, R. C. M. 1947, pertaining to the examination of licensed physician or surgeon in civil actions."	91, 321.
143	Introduced by Jensen, Nutting, Selstad, Delano, Deschamps, Fischer, Loman, Lucas: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by recipients of social security benefits, a widow, or one over the age of sixty-two (62) years not gainfully employed, to such an extent as would render him ineligible for social security benefits; providing for reimbursement to the counties from state funds, for the revenue loss sustained each year by reason of such new classification; and appropriating the sum of \$1,700,000 for the purpose of paying disbursements to the counties during the biennium."	91, 95, 143.
144	Introduced by Schepens, Meccage, Gerke, Jensen: A bill for an act entitled: "An act to amend Section 16-1015, R. C. M. 1947, relating to the powers and duties of county commissioners to levy an annual tax on the taxable property of the county to defray current expenses, including salaries not otherwise provided for, not exceeding sixteen (16) mills for any one (1) year and to levy such taxes as are required by special or local statutes; and providing for an additional levy of four (4) mills for a prescribed period."	91, 142, 175, 185, 186, 195, 324, 330, 341, 343, 437.
145	Introduced by Zimmer, Tracy, Scherf, Pierce: A bill for an act entitled: "An act to require common carriers by rail to maintain motor vehicles used for the transportation of workers in a safe condition; requiring the Board of Railroad Commissioners to make and enforce rules and regulations establishing minimum standards for such motor vehicles; providing a penalty for the violation of such regulations; and providing an effective date."	91, 166, 203.
146	Introduced by Lund, Stranahan, James: A bill for an act entitled: "An act providing for reimbursement to counties for loss of revenue because of tax exempt status of state owned land in excess of six per cent (6%) of the total land area; providing for procedures to effectuate this purpose; prescribing the duties of the Commission of State Lands and Investments, County Assessors and the	

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	State Controller; limiting the maximum payments; and providing an effective date."	91, 342, 360, 407, 425, 430, 575.
147	Introduced by Judge, Bardanouve, Schye, Cummings, Smiley: A bill for an act entitled: "An act creating a State Department of Planning and Economic Development to foster growth and diversification of industry, commerce and tourism; and repealing Sections 89-801 through 89-809 R. C. M. 1947."	91, 187, 205, 231, 239, 255, 629, 667, 673-SA, 706, 707, 729, 737.
148	Introduced by McNamara, Delano: A bill for an act entitled: "An act to amend Section 32-303, R. C. M. 1947, which places exclusive control, supervision, and direction of all highways, bridges and causeways in counties having a total registered vote of fifteen thousand (15,000) or over in the county surveyor; by providing for such exclusive control, supervision, and direction by the county surveyor only in counties having a total registered vote of twenty thousand (20,000) or more."	95, 209.
149	Introduced by Bardanouve, Lucas: A bill for an act entitled: "An act to amend Section 84-429.8, R. C. M. 1947, which authorized a tax levy of two (2) mills for a state-wide reclassification and reappraisal of all taxable lands and improvements, by authorizing a levy of not to exceed one (1) mill upon all property subject to taxation for maintaining and keeping current such reclassification and reappraisal."	95, 209, 223, 237, 240, 258, 483, 488, 489, 493, 494, 514.
150	Introduced by Jensen, Broeder, Dye, Tooke, Ulmer, Williams, Lund, Leuthold, James, Woodard, Garrison, Lucas: A bill for an act entitled: "An act to amend Section 84-4902, R. C. M. 1947, relating to the rate of income tax, to provide for a minimum tax of \$5.00 on each taxpayer required to file an income tax return; and providing an effective date."	95, 204.
151	Introduced by Judge, Healy: A bill for an act entitled: "An act to amend Sections 59-801 and 59-802 of the Revised Codes of Montana, 1947, relating to mileage to be paid to state officers, employees and other classes of persons; to provide for an increase in the mileage payments to members of the Legislative Assembly, state officers, township officers, jurors, witnesses, county agents, state or county officers and employees, and all other persons, except sheriffs, who may be entitled to mileage; containing a repealing clause."	95, 233.

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152	Introduced by Shugrue, Jensen, Slaby, Lucas, Zimmer: A bill for an act entitled: "An act to amend Section 11-1912, R. C. M. 1947, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same; providing for an increase thereof; and providing a maximum levy for such provisions by cities in the third class."	95, 177, 194, 210, 211, 226, 483, 488, 489, 493, 494, 514.
153	Introduced by Nutting, Smith, East: A bill for an act entitled: "An act providing for the election of additional trustees to the boards of trustees of high school districts; providing for the establishment of trustee nominating districts, and amending Section 75-4601."	99, 235, 278, 303, 318, 337, 614, 639, 668, 669, 838.
154	Introduced by Nutting, Smith, East: A bill for an act entitled: "An act providing for the creation of new districts out of other districts, and amending Section 75-1805, R. C. M. 1947."	99, 235, 278, 303, 327, 340, 614, 625, 626, 627, 640, 643, 746.
155	Introduced by Schepens, Twedt, Hanks, Cerovski. Cummings, Eskildsen: A bill for an act entitled: "An act to amend Section 23-807, R. C. M. 1947, which fixes the date for filing certificates of nomination by candidates for public office who are nominated by methods other than the direct primary; by providing that such certificates must be filed on or before the date fixed by law for the direct primary election under Chapter 9, Title 23, Revised Codes of Montana, 1947."	99, 181, 192, 210, 211, 226, 614, 625, 626, 627, 640, 643, 762.
156	Introduced by Schepens, Hall: A bill for an act entitled: "An act to amend Section 25-604, R. C. M. 1947, which gives boards of county commissioners power to fix compensation of deputies and assistants in all county offices and prescribes a maximum for such compensation; by increasing the allowable maximum compensation to deputies or assistants from ninety percent (90%) to ninety-five percent (95%) of the salary of the officer under whom the deputy or assistant is serving."	99, 306, 342, 360, 386, 389, 408, 583.
157	Introduced by Flynn, Hanks: A bill for an act entitled: "An act declaring the raising of fur-bearing animals in captivity to be an agricultural pursuit without altering the powers or	

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	duties of the State Fish and Game Commission under existing statutes."	100, 199, 223, 237, 240, 258, 483, 484, 485-SA, 488, 489, 493, 494, 514.
158	Introduced by Holtz, Hall, Twedt, Slaby: A bill for an act entitled: "An act prohibiting assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers and executive attaches of all civil executive offices, boards, commissions, bureaus and departments of the State of Montana from accepting compensation for service rendered in such capacity in excess of that fixed pursuant to statute or set forth in the budget. Prohibiting civil executive offices, boards, commissions, bureaus or departments of state from employing any person unless salary is provided by statute or set forth in the budget; and providing for an effective date."	100, 389.
159	Introduced by Hall, Gilfeather, Bardanouve: A bill for an act entitled: "An act amending Section 44-127, R. C. M. 1947, defining the powers and duties of the State Library Commission; and repealing Sections 44-129 and 44-130, R. C. M. 1947."	100, 234, 272, 294, 304, 314, 647, 652, 653, 668, 669, 838.
160	Introduced by Johnson, Watt, Deschamps, Cregg, Shugrue, Felt, Jensen, Harper: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 2, Article IX of the Montana Constitution changing the voting age to eighteen years."	100, 321.
161	Introduced by Bardanouve, Eskildsen: A bill for an act entitled: "An act requiring the reporting of certain activities by elected state officials."	100, 367, 412, 453, 454, 468, 535.
162	Introduced by Twedt, Haines, Eklund, Nichols, James, Meccage, Christiansen, Bailey: A bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction for the conservation education program, operation and capital, for the biennium ending June 30, 1967."	100, 647.
163	Introduced by Twedt, Haines, Eklund, Nichols, Tooke, Meccage, Bailey: A bill for an act entitled: "An act to appropriate money to the State Soil Conservation Committee for watershed project planning for the biennium ending June 30, 1967."	100, 647, 728, 742, 758, 783, 786, 794, 849.
164	Introduced by Aasheim, Schepens, Meccage, Eklund, Harper, Christiansen, Prevost, Twedt, Stranahan, Nefzger, Gilligan: A bill for an act entitled: "An	

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	act concerning per diem and reimbursement for expenses of members of the Legislative Assembly; amending Section 43-310, R. C. M. 1947."	100, 239, 279, 304, 330, 331, 356, 494, 495, 595, 607, 608, 611, 762.
165	Introduced by Slaby, Hanks, Schepens, Sheehy, Gilfeather: A bill for an act entitled: "An act to establish the salaries of sheriffs, undersheriffs and deputy sheriffs; establishing classifications of salaries based upon county populations; establishing longevity pay; and repealing those portions of Sections 25-603, 25-604 and 25-605 as they pertain to sheriffs, undersheriffs and deputy sheriffs; and providing for an effective date."	100, 476.
166	Introduced by Gill, Sheehy, Lucas, Haines, Zimmer: A bill for an act entitled: "An act to provide for the registration and regulation of foresters; to create the State Board of Registration for Foresters and to prescribe its powers and duties; to provide for the organization of said board; to provide for the terms of office of the members of said board; to provide for the revocation of licenses; to provide for fees and to provide for reciprocity."	100, 213.
167	Introduced by Aasheim, Bailey: A bill for an act entitled: "An act relating to the revision of certain school laws, directing the attorney general to submit a proposed revision of such laws, directing Fortieth Legislative Assembly, and appropriating moneys for such purpose."	101, 215, 647.
168	Introduced by Harper, Nefzger, Meccage, Cummings: A bill for an act entitled: "An act amending Section 43-803, R. C. M. 1947, raising the lobbyist license fee from ten dollars to one hundred dollars."	101, 172, 789.
169	Introduced by Broeder, Rygg: A bill for an act entitled: "An act changing the procedure for unifying a county high school with the school district in which the county high school is located; amending Sections 75-4121, 75-4122, 75-4123, 75-4124, 75-4125, and 75-4126, R. C. M. 1947."	103, 352, 394, 434, 443, 450, 515, 543, 544, 554, 556, 566.
170	Introduced by Delano, Selstad, McDonald: A bill for an act entitled: "An act to amend Section 75-506 (866), R. C. M. 1947, pertaining to charges for tuition, the waiver of non-resident fees, and providing for penalties for violations of the commercial fertilizer act; and repealing Sections 3-1701, 3-1702, 3-1703, 3-1704, 3-1705, 3-1706, 3-1707, 3-1708, 3-1709, 3-1710, and 3-1711, R. C. M. 1947." ..	103, 104, 307, 342, 386, 389, 409, 670.

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171	Introduced by Hanks, Nichols: A bill for an act entitled: "An act to revise the commercial fertilizer law by amending Sections 3-1715 and 3-1727, R. C. M. 1947; providing a registration fee for soil amendments; providing that all fees be deposited in the general fund; providing for penalties for violations of the commercial fertilizer act; and repealing Sections 3-1701, 3-1702, 3-1703, 3-1704, 3-1705, 3-1706, 3-1707, 3-1708, 3-1709, 3-1710, and 3-1711, R. C. M. 1947."	104, 179, 180, 199, 223, 237, 240, 254, 265, 272, 285, 294, 494, 510, 518-SA, 550, 551, 565, 566, 628.
172	Introduced by request—Delano: A bill for an act entitled: "An act to amend Section 23-1101, R. C. M. 1947, relating to the printing and distribution of election ballots for public officers (except school district officers); providing that ballots must be printed thirty (30) days prior to any election; providing that the expense of printing and delivering ballots is a county charge except in the case of municipal elections."	104, 361.
173	Introduced by Healy, Crum, Lombardi, Obstarczyk: A bill for an act entitled: "An act to prevent unfair competition and unfair trade practices in the sale of cigarettes; to prohibit sales of cigarettes below cost; to protect and stabilize the collection of taxes on the sale of cigarettes and revenues from the licensing of persons engaged in the sale of cigarettes; to confer powers and impose duties on the State Board of Equalization and on persons as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing remedies and imposing penalties for violations thereof."	104, 242, 278, 303, 318, 337, 613, 667, 672-SA, 760, 770, 775, 849.
174	Introduced by Healy, Crum, Obstarczyk, Lombardi: A bill for an act entitled: "An act to amend those sections relating to the tax on cigarettes; providing for an annual license and an increase in certain license fees; providing for revocation of license for violation of the Montana Cigarette Sales Act."	104, 241, 285, 308, 381.
175	Introduced by Loman, Judge, Stranahan, Smiley: A bill for an act entitled: "An act amending Chapter 259 of the Session Laws of 1963 to provide for continuing the Montana Centennial Commission as a temporary agency."	104, 348, 360, 407, 425, 433, 595, 607, 608, 611, 711.

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176	Introduced by Aasheim: A bill for an act entitled: "An act to amend Section 75-2707, R. C. M. 1947, as amended by Chapter 216, Session Laws of Montana, 1963, providing for the payment to the named beneficiary of a deceased member of the Teachers Retirement System the sum of fifty dollars (\$50.00) per month for each child of said deceased member under eighteen years (18) of age if the named beneficiary is the surviving spouse of the deceased member and the deceased member was actively engaged as a teacher within one (1) year prior to his death; and providing for an effective date."	104, 235, 286, 325, 331, 354, 599, 713, 761, 770, 775, 849.
177	Introduced by request—Delano: A bill for an act entitled: "An act amending the Professional Service Corporation Act of Montana to include nurses as one of the professional services included within the provisions of the act."	104, 172, 186, 202, 205, 219, 508, 510, 520-SA, 550, 551, 565, 566, 628.
178	Introduced by Eklund, Christiansen, Schepens, Cummings, Prevost, Meccage, Rehberg, O'Hair: A bill for an act entitled: "An act to enable boards of county commissioners to levy an assessment on taxable real property within the counties for the expenses of soil conservation districts; amending Sections 76-202, 76-204, 76-208, 76-209, and 76-210, R. C. M. 1947; and repealing Section 76-203, R. C. M. 1947."	104, 304, 335, 351, 380, 582, 596, 610, 611, 711.
179	Introduced by Willits, Gilligan, Holtz, Gunderson, Johnson, McDonald, Hall, Pierce, Lombardi, Gilfeather, Obstarczyk, Delano, McNamer, O'Leary, Haines, Mather, Healy: A bill for an act entitled: "An act to amend Sections 11-3905 and 11-3906, Revised Codes of Montana, 1947, relating to elections in connection with urban renewal projects, and providing an effective date."	108, 200, 223, 237, 248, 260, 273, 494, 504, 505, 507, 566.
180	Introduced by Tracy, Deschamps, Lombardi, Shugrue, Healy, Sullivan: A bill for an act entitled: "An act amending Section 69-1329, R. C. M. 1947, as enacted by Chapter 142 of the Laws of the 34th Legislative Assembly, 1955, relating to State Water Pollution Council, and 69-1331, R. C. M. 1947, as enacted by Chapter 142 of the Laws of the 34th Legislative Assembly, 1955, relating to the powers and duties of the Board of Health."	108.
181	Introduced by McNamer, Sheehy: A bill for an act entitled: "An act relating to validation of judicial	

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	sales of real property and curing defects or irregularities in the issuance of execution, manner of making or conducting the sale, or in the recitals or reference in sheriffs' deeds."	108, 183, 192, 210, 211, 226, 234, 494, 510, 519-SA, 550, 551, 565, 566, 628.
182	Introduced by McNamer, Sheehy: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged, imparting notice by recording thereof, providing that duly certified copies thereof may be read in evidence with like effect as copies of an instrument duly acknowledged and recorded, containing a repealing clause and providing for an effective date."	108, 176, 186, 201, 202, 205, 220, 494, 510, 519-SA, 550, 551, 565, 566, 628.
183	Introduced by McNamer, Sheehy: A bill for an act entitled: "An act to validate all royalty and minerals reservations and agreements applicable thereto heretofore made by counties, containing a repealing clause and providing for an effective date."	108, 176, 186, 201, 202, 205, 220, 494, 510, 519-SA, 550, 551, 565, 566, 628.
184	Introduced by McNamer, Sheehy: A bill for an act entitled: "An act validating deeds and conveyances in sales of land and personal property heretofore made by trustees, executors, administrators and guardians, curing defects and irregularities in such sales, containing a repealing clause and providing for an effective date."	108, 176, 186, 201, 202, 205, 220, 494, 510, 520-SA, 550, 551, 565, 566, 628.
185	Introduced by McNamer, Sheehy: A bill for an act entitled: "An act validating deeds and conveyances heretofore made which are defective in execution or acknowledgment, providing that such instruments shall be conclusive evidence of title against the grantors, containing a repealing clause and providing for an effective date."	108, 176, 186, 201, 202, 210, 211, 227, 514, 547, 558-SA, 572, 585, 588, 661.
186	Introduced by McNamer, Sheehy: A bill for an act entitled: "An act to validate records of court proceedings containing defects, omissions, informalities or irregularities in obtaining a judgment or decree affecting real property, in which time for appeal has expired, providing that duly certified copies of such judgment or decree may be read in	

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	evidence with the same effect as judgments or decrees duly and regularly obtained, recorded and entered, and providing for a repealing clause and an effective date."	108, 176, 186, 201, 202, 205, 220, 495, 514, 547, 557-SA, 572, 585, 588, 661.
187	Introduced by Schepens, Hanks, Willits: A bill for an act entitled: "An act to create a State Bureau of Criminal Identification, and Statistics under the department of the Attorney General; providing the general powers and duties; providing for laboratory and clinical facilities; providing for transmission of records to the bureau; providing for appointment and discharge of personnel; providing for a records section at the State Penitentiary; providing for money for the operation of the bureau; amending Sections 25-226 and 25-201, Revised Codes of Montana, 1947, as amended; providing for appropriation of fees collected; repealing certain acts in conflict therewith and providing an effective date."	108, 251, 262, 271, 817.
188	Introduced by Jensen, Selstad, Haines, Healy, O'Leary, Obstarczyk, Lombardi, McDonald, Lucas, Mather: A bill for an act entitled: "An act to amend Section 53-103 of the Revised Codes of Montana, 1947; to amend Section 53-106 of the Revised Codes of Montana, 1947; to amend Section 53-108 of the Revised Codes of Montana, 1947; to amend Section 53-115 of the Revised Codes of Montana, 1947; to amend Chapter 1, Title 53, Revised Codes of Montana, 1947, by adding new Sections 53-115.1, 53-115.2, 53-115.3, 53-115.4, 53-115.5, and 53-115.6; to amend Section 53-116, Revised Codes of Montana, 1947; and to amend Section 53-119, Revised Codes of Montana, 1947; relating to motor vehicles and their registration and licensing by providing for and establishing a twelve-month registration and licensing period on certain vehicles; providing for an affidavit stating that the vehicle had not been operated on the highways of the State of Montana during the immediate previous registration period; providing for eight classifications of number plates to be renewed every twelve months bearing distinctive numbers and/or letters identifying each registration period; providing for the expiration date of vehicle registrations; providing for the effective date of the renewal of the registration; providing when vehicles can be operated without displaying the registration certificate; providing for the time for registering and application for registering certain of those motor vehicles which by Section 53-615 must pay an additional fee; providing for the designation of the registration period on the license plates; providing for the expiration of the registration and	

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	licensing period; providing for subsequent registration and licensing periods; designating the vehicles subject to this act; providing for initial registration and licensing periods; providing for registration and licensing dates for vehicles owned and not owned on effective date of this act; providing for the pro-rating of certain taxes and fees on vehicles registered and licensed for less than twelve months; stating the intent of the act; providing the method of computing the prorated taxes and fees; providing for the assignment of an appropriate number plate by the treasurer and the shipment of the number plates; providing for the display of the number plate bearing the monthly series assigned; providing a savings clause; repealing all acts and parts of acts in conflict herewith and providing for an effective date."	109, 396, 436, 456, 462, 473.
189	Introduced by Hanks, Twedt: A bill for an act entitled: "An act to amend Section 16-912, R. C. M. 1947, which sets the compensation and mileage of members of boards of county commissioners, by increasing the compensation and mileage allowed by that section; and to amend Section 32-314 R. C. M. 1947, relating to fees paid to county commissioners or county surveyors for inspecting highways or bridges, by providing for an increase in the fees allowed by that section."	109, 402, 434, 456, 462, 470, 629, 667, 674-SA, 706, 707, 729, 737, 849.
190	Introduced by Johnson, Twedt, Tracy: A bill for an act entitled: "An act to provide that the spouse of a co-maker or accommodation maker must also sign instrument relative to loans."	109, 183.
191	Introduced by Johnson, Gilligan, Twedt, Tracy: A bill for an act entitled: "An act to prohibit waiver of statutory exemptions."	109, 183, 192, 210, 211, 227, 567, 590, 600-SA, 625, 626, 627, 640, 643, 746.
192	Introduced by Haines: A bill for an act entitled: "An act amending Section 82-1131, R. C. M. 1963 to change the bid amount to ten thousand dollars (\$10,000.00) or more without first advertising."	109, 197.
193	Introduced by Pierce, Deschamps, Flynn: A bill for an act entitled: "An act to regulate mobile home parks; defining terms; providing for licensure and license fee; and providing procedure for cancellation or denial of license; empowering State Board of Health of Montana to make and enforce all necessary regulations including sanitary standards for such establishments; and, to establish cooperative agreements with other Montana agencies;	

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	providing for the creation of an advisory council; providing for inspections and report of inspections; empowering State Board of Health of Montana to issue subpoenas; prescribing penalties; providing for fee required by this act to supercede other fees for same purpose; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and establishing effective date."	109, 362.
194	Introduced by Hanks, Gerke: A bill for an act entitled: "An act to provide for the licensing and regulation of all petroleum dealers and liquefied petroleum dealers who sell or offer to sell to a consumer and the licensing of any device and the regulation of its use when used for the purpose of delivering or distributing such products as are sold or offered for sale by such dealers; repealin Sections 60-201 and 60-202, R. C. M. 1947."	110, 261, 286, 308, 329, 331, 356, 567, 584, 585, 591, 594, 711.
195	Introduced by Crum, McNamara, Dye, Healy, Selstad, Raundal: A bill for an act entitled: "An act relating to group accident and sickness insurance for persons 65 years of age or older, and their spouses; providing regulation of such insurance by the Commissioner of Insurance; and providing an effective date."	111, 278, 317, 335, 344, 376, 544, 550, 551, 565, 566, 628.
196	Introduced by Nefzger, Aasheim, Broeder, Christiansen, Sullivan: A bill for an act entitled: "An act to provide for an increase in salaries of certain county officers; to provide for additional salary to county superintendents of schools to be paid from state funds; and amending Sections 25-601, 25-605 and 25-609, R. C. M. 1947."	111, 476.
197	Introduced by Judge, Lucas: A bill for an act entitled: "An act to amend Section 79-1202, Revised Codes of Montana, 1947, as last amended by Chapter 67, Laws of Montana, 1963, relating to investment of funds of the State of Montana, and altering the types of securities in which the long term investment fund may be invested; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	111, 233, 250, 349.
198	Introduced by Flynn, O'Leary: A bill for an act entitled: "An act relating to professions and occupations; defining terms; providing for the creation of a State Board of Dispensing Opticians; prescribing its powers and duties; prescribing selection, licensing, fees, regulations, hearing, appeal and other procedures; providing for enforcement; and establishing penalties."	111, 362.

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199	Introduced by Stranahan, Watt, Meccage, Cummings, Zimmer: A bill for an act entitled: "An act to amend Section 25-605, R. C. M. 1947, which relates to the salaries of county officers; and to provide for an increase in salaries of those county officers."	112, 402, 434, 456, 462, 471, 647, 668, 669, 700, 838.
200	Introduced by Casey, Bollinger: A bill for an act entitled: "An act to amend Section 87-104, R. C. M. 1947, of the Unemployment Compensation Law to provide a reduction in the maximum total amount of benefits payable because of disqualification."	112, 476.
201	Introduced by Delano, Healy: A bill for an act entitled: "An act to amend Section 26-104 (26), Revised Codes of Montana, as amended by Chapter 40, Session Laws of 1951, Chapter 157, Session Laws of 1955, Chapter 151, Session Laws of 1957, and Chapter 96, Session Laws of 1959, relating to the powers and duties of the State Fish and Game Commission; providing for the authority to promulgate and enforce rules and regulations governing recreational uses of public fishing reservoirs and lakes constructed by the commission or on reservoirs and lakes which it operates under agreement in conjunction with a federal or state agency; regulating swimming, boating, including boating speed regulations; repealing all acts or parts of acts in conflict herewith; and providing an effective date."	112, 179, 186, 202, 205, 221, 515, 543, 544, 554, 556, 606 Veto.
202	Introduced by James: A bill for an act entitled: "An act providing schedules for payments by the board of trustees of amounts for board or rent or transportation in lieu of furnishing bus transportation; and amending Section 75-3407, R. C. M. 1947."	112, 266, 329, 359, 387, 400, 630.
203	Introduced by Selstad, Egan, Fischer, Lund: A bill for an act entitled: "An act to subject to assessment and taxation interests in property of the State of Montana held by taxable ownerships."	112, 184, 186, 210, 211, 227, 494, 504, 505, 507, 566.
204	Introduced by Holtz, Aasheim, McDonald: A bill for an act entitled: "An act amending Sections 59-538 and 59-801 R. C. M. 1947, to set per diem rates for district judges and supreme court justices and mileage rates for district court judges, Supreme Court Justices and sheriffs; amending 16-2723 and repealing Sections 93-305 and 93-313, R. C. M. 1947."	112, 403, 434, 456.

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205	Introduced by Woodard, Rehberg, Smith, Garrison, James, Hanks: A bill for an act entitled: "Appropriating moneys from the earmarked revenue fund, fish and game account, to the Livestock Sanitary Board for the study and investigation of the diseases of game animals, fish and wildlife."	112, 199.
206	Introduced by Smiley, Dye: A bill for an act entitled: "An act to reestablish the Gallatin Game Preserve."	112, 476.
207	Introduced by Lucas, Dye, MacCalman, Felt, Delano, Slaby, Gill, Swanz, Egan: A bill for an act entitled: "An act creating the Montana Tax Study Task Force; providing for the appointment of such task force and its purposes and duties; providing an appropriation for the purpose of defraying the expense of such task force."	112, 774, 818.
208	Introduced by Mather, Ulmer, Bollinger: A bill for an act entitled: "An act appropriating forty-five thousand dollars (\$45,000.00) for the Montana Bureau of Mines and Geology to fund cooperative greater Montana coal resources research."	112, 646, 668, 705, 729, 738, 777, 793, 819, 823, 849.
209	Introduced by Ulmer, Sheehy: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 1, Article VII of the Constitution making the State Treasurer eligible to his office for the succeeding term."	113, 181.
210	Introduced by McNamer, McNamara, Smiley: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 5, Article XVI of the Constitution of Montana deleting the office of coroner from the enumeration of elected county officers."	113, 123, 244, 321.
211	Introduced by McNamer, McNamara, Smiley: A bill for an act entitled: "An act establishing a district coroner system in the State of Montana; providing for the creation of coroner districts; providing for the election of district coroners; providing for the qualifications of district coroners; prescribing the duties and responsibilities of district coroners; providing for the appointment of deputy district coroners; providing a penalty for persons who fail to report unnatural deaths to the office of district coroner or deputy district coroner; providing for a manual to be prepared for district coroners by the Attorney General; providing for the performance or the ordering of the performance of autopsy examinations in certain cases investigated by the district coroner; providing for the filing of written reports of investigation conducted by the district coroner; providing for the use of specialists to assist the district coroner and	

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	for their compensation when they render assistance in investigations conducted by the district coroner; providing for the appointment of district coroners by the Governor when the office of district coroner becomes vacant; providing the salary to be paid to district coroners; providing for the allocation of funds for the expense of maintaining the district coroners' offices; providing for mileage expenses to be paid to deputy district coroners; amending Sections 16-2403, 16-2406 and 94-3915, R. C. M. 1947, by deleting all references therein to coroners as county officers; amending Section 16-2615, 16-2616 and 16-2617, R. C. M. 1947, by making reference to district and deputy district coroners and by referring to investigated deaths rather than inquests; amending Sections 16-3402, 16-3403, 16-3404, 16-3408, R. C. M. 1947 to refer to the district coroners; amending Section 25-403, R. C. M. 1947, by deleting the reference to coroners inquests; amending Section 69-2308 R. C. M. 1947, to refer to district coroners and to investigations of deaths and deleting all references to coroners inquests; repealing Sections 16-2720, 16-3401, 16-3405, 16-3406, 16-3407, 16-3409, 16-3410, 25-236, 50-524, 94-201-1, 94-201-2, 94-201-3, 94-201-4, 94-201-5, 94-201-6, 94-201-7, 94-201-8, 94-201-9, 94-201-10, 94-201-11, 94-201-12, and 94-201-13, R. C. M. 1947, and providing an effective date."	113, 123, 244.
212	Introduced by Felt, Christiansen, Schye: A bill for an act entitled: "An act requiring the State Highway Commission to determine that all property taxes on land acquired for state highway purposes have been paid, and if necessary, to withhold a sufficient amount from the acquisition cost to pay the same; and amending Section 32-1615, R. C. M. 1947."	113, 342, 363, 408, 425, 429, 567, 580, 581, 585, 589, 661.
213	Introduced by Bailey, Pierce, McDonald: A bill for an act entitled: "An act amending Section 53 119.1 R. C. M. 1947, enacted as Section 1, Chapter 182, Laws of 1955 to provide for the movement of mobile homes or house trailers as unladen vehicles when all items are removed except the equipment originally installed by the manufacturer and the personal effects of the owner."	113, 203, 223, 237, 240, 257, 514, 546, 557-SA, 572, 585, 588, 661.
214	Introduced by Zimmer, Stranahan, Jensen, McNamer: A bill for an act entitled: "An act to amend Section 84-501, R. C. M. 1947, requiring additional information to be set forth in assessment books so that the lists of persons qualified to serve as trial jurors provided for by Section 93-1402, R. C. M. 1947, requiring additional information to	

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	be set forth in assessment books so that the lists of persons qualified to serve as trial jurors provided for by Section 93-1402, R. C. M. 1947, will not contain the names of persons incompetent to be jurors."	113, 342.
215	Introduced by Healy, Twedt, Gilligan, Obstarczyk Hall, Tracy, Schye, Shugrue, Felt: A bill for an act entitled: "An act to amend Section 84-4942 R. C. M. 1947, to require employers of agricultural, farm or ranch labor to withhold from wages due such employees income tax due to the State of Montana; exempting foreign laborers; and repealing all acts and parts of acts in conflict herewith."	114, 214, 380.
216	Introduced by Stranahan, Leuthold, O'Hair, Smiley: A bill for an act entitled: "An act to amend Section 89-2932, R. C. M. 1947, concerning the appointment of Ground Water Commissioners and their duties."	114, 234, 266, 293, 304, 313, 508.
217	Introduced by Zimmer, Stranahan, Jensen, Slaby: A bill for an act entitled: "An act to amend Section 25-401, R. C. M. 1947, as amended by Section 1, Chapter 117, Laws of 1963, increasing the fees of grand and trial jurors from ten dollars per day to sixteen dollars per day."	114, 321, 344, 388, 401, 419, 476, 615.
218	Introduced by Wayrynen, Sheehy: A bill for an act entitled: "An act declaring it a state responsibility to furnish funds to counties for the care of indigent sick or otherwise dependent poor persons, authorizing a state property tax not to exceed eight and one-half (8½) mills for a period of ten years beginning in 1969 and removing county property taxes for this purpose; submitting the first three sections of this act to electorate at the November, 1966 general election; amending Sections 10-507, 10-519, 10-524, 16-1038, 16-1907, 16-2008, 16-3802, 71-101, 71-106, 71-118, 71-211, 71-212, 71-217, 71-222, 71-230, 71-250, 71-308, 71-309, 71-311, 71-410, 71-412, R. C. M. 1947; and repealing Sections 16-2014 through 16-2018, 71-405, 71-508, 71-611, and 71-1206, R. C. M. 1947."	114, 362.
219	Introduced by Wayrynen, Sheehy, Obstarczyk: A bill for an act entitled: "An act requiring that the dispensing of motor fuel into the fuel tank of a motor vehicle or into a container at an automotive service station be made by a competent attendant at all times, and defining automotive service stations."	114, 212, 213, 223, 237, 248, 254, 264, 277, 295, 614.
220	Introduced by Sheehy, Wayrynen: A bill for an act entitled: "An act specifying conditions under which forfeiture of bail or deposit instead of bail	

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	shall be discharged; amending Section 94-8704, R. C. M. 1947."	114, 401, 434, 455, 462, 469, 567, 590, 600-SA, 625, 626, 627, 640, 643, 762.
221	Introduced by Sheehy, Schepens, Meccage, McNamara: A bill for an act entitled: "An act to amend Section 25-605 of the Revised Codes of Montana, 1947, providing for an increase in salaries, and for minimum salaries, and containing a repealing clause."	114, 476.
222	Introduced by Bardanouve: A bill for an act entitled: "An act amending Section 89-1208, R. C. M. 1947, to increase the salary of irrigation district commissioners."	115, 214, 233, 254, 260, 274, 544, 550, 551, 565, 566, 628.
223	Introduced by Leuthold, Williams, Twedt: A bill for an act entitled: "An act increasing the time period for which special improvement district bonds may be issued by county commissioners from twenty to thirty years; amending Sections 16-1613 and 16-1620, R. C. M. 1947."	115, 278, 317, 335, 344, 374, 507, 511, 520, 521, 566.
224	Introduced by Mather, East, Haines, McNamara, Christiansen: A bill for an act entitled: "An act amending Section 23-517, R. C. M. 1947, providing for the cancellation of voter registration and the registration of voters; and providing an effective date."	115, 181, 189, 230.
225	Introduced by Johnson—by request: A bill for an act entitled: "An act raising the limitation on taxes levied for general municipal or administrative purposes from twenty to forty mills in first class cities having a valuation of six million dollars or less."	115, 200.
226	Introduced by Rehberg, Lund, Pierce, Gerke, O'Leary, Sheehy, McNamer, Woodard: A bill for an act entitled: "An act changing the method for computing school tuition payments for mentally retarded or physically handicapped children; and amending Section 75-5003, R. C. M. 1947."	116, 265, 317, 335, 344, 377, 567, 580, 581, 585, 589, 701.
227	Introduced by Rehberg, Lund, Pierce, Gerke, Sheehy, O'Leary, McNamer, Woodard: A bill for an act entitled: "An act changing the method for computing school tuition payments; amending Sections 75-1630 and 75-4230, R. C. M. 1947."	116, 307, 360, 407, 425, 432, 567, 584, 585, 591, 594, 661.

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228	Introduced by Haines, McNamara, Obstarczyk: A bill for an act entitled: "An act to amend Section 40-3011, Revised Codes of Montana, 1947, as enacted by Chapter 286, Session Laws of Montana, 1959, relating to the valuation of life insurance policies and contracts; prescribing additional mortality tables for such valuation; and providing for an effective date."	116, 251, 298, 326, 329, 349, 350, 351, 379, 507, 511, 520, 521, 566.
229	Introduced by Haines, McNamara, Obstarczyk: A bill for an act entitled: "An act to amend Section 40-3831, Revised Codes of Montana, 1947, as enacted by Chapter 286, Session Laws of Montana, 1959, relating to nonforfeiture provisions in life insurance policies; and providing for an effective date."	116, 251, 329, 349, 350, 351, 379, 507, 511, 520, 521, 566.
230	Introduced by Felt, Lucas, Sheehy: A bill for an act entitled: "An act relating to discontinuance of workmen's compensation payments by an insurer, requiring approval by the Industrial Accident Board prior to such discontinuance, requiring the insurer to file a petition for discontinuance with the boards and serve a copy on the claimant, requiring an investigation and issuance of an order by the board regarding payments; providing that no appeal may be taken from the board's order, reserving powers in the board, without notice, regarding continuance or discontinuance of payments, and providing for a repealing clause."	116, 366, 412, 453, 454, 467, 629, 667, 674-SA, 702, 708, 763, 775, 776, 780, 781, 785, 786, 794.
231	Introduced by Leuthold, Broeder, Nelson, Swanz, Rehberg: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1965 and 1966, providing a severability clause and an effective date."	116, 251, 278, 303, 308, 326, 331, 355, 594, 631, 637-SA, 652, 653, 668, 669, 838.
232	Introduced by Judge—by request: A bill for an act entitled: "An act to amend Section 82-1925, Revised Codes of Montana, 1957, Replacement Volume 5, as amended, by providing restrictions on Montana residents in relation to contracts on materials, supplies, equipment, construction, repair and public works of all kinds for Montana agencies, political subdivisions, schools and other public coparties, by adding thereto a new sub-	

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	section to be known as Section 82-1925 (1) by prohibiting a Montana resident, partnership or corporation from being a broker, agent, or sub-agent on bidding and receiving contracts from Montana agencies, political sub-divisions, school districts and other public corporations for a non-resident, foreign partnerships or foreign corporations, providing for a hearing thereof; providing for a savings clause, and rejecting all laws in conflict herewith."	116, 319.
233	Introduced by Woodard, Rehberg, James: A bill for an act entitled: "An act amending Section 75-1618, R. C. M. 1947, to require that a person voting at an election of school trustees must be a registered voter."	116, 235, 260, 284, 298, 309, 567, 580, 581, 585, 589, 701.
234	Introduced by Williams, McOmber: A bill for an act entitled: "An act regulating dealers engaged in buying hay; providing for licenses and bonds; providing a penalty for violations; and repealing all conflicting acts or parts of acts."	116, 179, 189, 192, 214.
235	Introduced by Sheehy: A bill for an act entitled: "An act to amend Section 27-203, R. C. M. 1947, by adding thereto a subsection which would provide that one who manufactures or sells an economic poison warrants the same to any buyer or ultimate user that the product is free from defects, that improper materials were not knowingly used therein, and that the product is reasonably fit and suitable for the particular purposes for which it was manufactured and sold." ..	117, 278, 317, 335, 351, 379, 647, 652, 653, 668, 669, 838.
236	Introduced by Sheehy, Lucas, Obstarczyk, Willits, Mather: A bill for an act entitled: "An act to provide for annual payments from the premium tax collected on motor vehicle insurance to every city or town having a police department; providing how such payments shall be expended by the cities or towns."	117, 240, 263, 284, 298, 309, 613, 667, 672-SA, 706, 707, 729, 737, 849.
237	Introduced by Sheehy, Obstarczyk, Willits, Deschamps: A bill for an act entitled: "An act to amend Section 40-2821, R. C. M. 1947, by extending the period when the tax on net insurance premiums shall be two and one-quarter per cent (2¼%) of such premiums from the calendar years 1963 and 1964 to the calendar years 1965 and 1966."	117, 224, 250, 272, 277, 296, 483, 488, 489, 493, 494, 514.

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238	Introduced by Sheehy, Felt: A bill for an act entitled: "An act relating to eminent domain proceedings; altering and revising the procedures for determining compensation to be paid defendants and for putting the plaintiff in possession; amending Section 93-9911, R. C. M. 1947, relating to the power of the court and preliminary condemnation order; amending Sections 93-9912 and 93-9914, R. C. M. 1947, to provide for a preliminary assessment of compensation by the district court and granting defendants the right to elect whether the final determination and assessment of compensation will be made by condemnation commissioners or a jury, and to provide generally for the determination and assessment of compensation; amending Section 93-9915, R. C. M. 1947, to provide the procedure for determining compensation in district court and to provide generally for the rights of the parties; amending Section 93-9920, R. C. M. 1947, to provide the procedure for putting the plaintiff in possession; repealing all acts or parts of acts in conflict herewith; and providing a severability clause and an effective date."	117, 394, 436, 455, 456, 462, 474, 614, 652, 653, 668, 669, 831, 832.
239	Introduced by Sheehy, Felt: A bill for an act entitled: "An act relating to eminent domain proceedings; amending Section 93-9913, R. C. M. 1947, to clarify the interest payable to a property owner; repealing all acts or parts of acts in conflict herewith; and providing a severability clause and an effective date."	117, 394, 423, 455, 462, 470, 614, 625, 626, 627, 640, 643, 762.
240	Introduced by Sheehy, Delano, Lombardi, MacCallman: A bill for an act entitled: "An act to amend Section 92-902, Revised Codes of Montana, 1947, relating to the minimum assessment to be paid to the Industrial Accident Board at the time of filing of proof of solvency under the Workmen's Compensation Act of Montana, plan one, providing for a minimum assessment in the amount of seventy-five dollars per year; repealing all acts and parts of acts in conflict herewith."	117, 243, 266, 293, 304, 313, 614, 625, 626, 627, 640, 643, 762.
241	Introduced by Sheehy: A bill for an act entitled: "An act providing for the number of state senators from each county; for the establishment and determination of senatorial districts; fixing the duties of the board of county commissioners of the several counties to determine the boundaries of senatorial districts and the publication of such districts; providing for the mapping of senatorial	

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	districts and filing the same in the offices of the county clerks of the counties; providing for the numbering of senatorial districts and the designation by candidates for the State Senate of the districts in which such candidates seek election; providing that State Senators shall be elected from within senatorial districts; providing for years in which Senators shall be elected and safeguarding the terms of holdover Senators; providing that the boards of county commissioners shall act in cases where counties have an increase, or suffer a decrease, in senatorial districts; providing for appeal to the district court from any act or failure to act of the board of county commissioners under this act; providing for the repeal of Section 43-101, Revised Codes of Montana, 1947, and providing that this entire act shall be null and void if found unconstitutional; and providing for an effective date."	117.
242	Introduced by Sheehy: A bill for an act entitled: "An act providing for the number of Representatives in the State House of Representatives; providing for the apportionment of Representatives among and to the several counties of the state; providing for the number of Representatives to be elected from each county until otherwise apportioned; providing for the establishment and determination of representative districts; fixing the duties of the board of county commissioners of the several counties to determine the boundaries of representative districts and the publication of such districts; providing for the mapping of representative districts and filing the same in the offices of the county clerks of the counties; providing for the numbering of representative districts and the designation by candidates for the State House of Representatives of the representatives districts in which such candidates seek election; providing that Representatives shall be elected from within representative districts; providing for an appeal to the district court from any act or failure to act of the board of county commissioners under this act; providing that this act shall supersede the provisions of Section 43-103, and Section 43-104, Revised Codes of Montana, 1947, and all amendments thereto, but not repealing said sections or amendments thereto; providing that this entire act shall be null and void if found unconstitutional; and providing for an effective date."	118, 324, 360, 393, 401, 421, 750, 753, 754, 756.
243	Introduced by Sheehy, Healy, Shugrue, Lombardi, Haines, Pierce, Tracy, Meccage, Raundal, Nefzger, Atkins, Willits, Slaby, Johnson, Harper: A bill for an act entitled: "An act making the transcription or recording of human conversation without the knowledge and consent of the parties thereto	

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	a felony; providing a punishment therefor; and excepting public officials and employees when in the performance of official duty."	118, 321, 344, 387, 401, 421, 613, 663, 664-SA, 706, 707, 729, 737, 838.
244	Introduced by Harper: A bill for an act entitled: "An act requiring the installation of traffic control devices on the public highways in this state at points where school children frequently cross."	118, 331.
245	Introduced by Harper: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article XIX of the Constitution of Montana removing the prohibition against lotteries and gift enterprises and commanding the Legislative Assembly to provide for a state gaming agency."	118, 216, 321.
246	Introduced by Bailey, Tracy, Pierce, Dye, Loman, Judge: A bill for an act entitled: "An act defining master electricians, journeyman electricians, and electrical contractors, and setting forth the qualifications, examination and licensing of each; adopting a code of standards; providing for certain exceptions; establishing a state electrical board; providing for appointment of state electrical inspectors; providing for the issuance of licenses and temporary permits and inspection fees; providing for license examination; providing for disposition of fees; providing a penalty: repealing Sections 12-1180 and 16-1181; and providing an effective date."	118, 318, 360, 407, 425, 429, 545, 546, 557-SA, 584, 585, 591, 594, 701.
247	Introduced by Highways Committee: A bill for an act entitled: "An act making it unlawful to damage, deface or remove any sign, signal or marker erected on the right of way of any state or interstate highway, requiring the State Highway Commission to post notices hereof; providing for a penalty, reward and a repealing clause."	119, 182, 186, 202, 205, 221, 567, 590, 600-SA, 625, 626, 627, 640, 643, 762.
248	Introduced by Highways Committee: A bill for an act entitled: "An act to amend Section 31-104, R. C. M. 1947, relating to the term, salary, qualifications and responsibilities of the Highway Patrol Supervisor; deleting statutory salary provision of section and authorizing Montana Highway Patrol Board to fix the salary of the supervisor within the limits of the appropriation made and with the approval of the State Board of Examiners; repealing all acts or parts of acts in conflict herewith."	119, 179, 186, 202, 209, 270.

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249	Introduced by Highways Committee: A bill for an act entitled: "An act to amend Section 32-2175, Revised Codes of Montana, 1947, relating to obedience by drivers of motor vehicles to authorized emergency vehicles; prohibiting a driver of a motor vehicle from fleeing or attempting to elude police officer or highway patrolman; requiring driver to bring vehicle to stop when properly signaled or directed by officer; providing penalty for violation of act; requiring police officer or highway patrolman to be in uniform and that vehicle operated by such officer shall be appropriately identified as a police vehicle; authorizing Highway Patrol Board to suspend driver license or privilege to drive of a person convicted of violating act; repealing all acts or parts of acts in conflict herewith."	119, 179, 192, 210, 211, 228, 515.
250	Introduced by Highways Committee: A bill for an act entitled: "An act to amend Section 31-110, R. C. M. 1947, relating to arrest authority and enforcement power by highway patrolmen; deleting a provision which prohibits patrolmen from congregating to suppress riots or preserve the peace, deleting obsolete material relating to the examining of drivers and reporting information concerning unfit or unsafe drivers to the licensing authority; repealing all acts or parts of acts in conflict herewith."	119, 181, 202, 225, 230, 237, 544, 550, 551, 565, 566, 628.
251	Introduced by Rygg, Broeder, Atkins, Laas, Watt: A bill for an act entitled: "An act to amend Section 92-827, Revised Codes of Montana of 1947, as amended by Chapter 170 of the Laws of Montana of 1959, relating to the record of proceedings and the regulation of attorney's fees by the Industrial Accident Board; repealing all acts or parts of acts in conflict herewith, and providing an effective date."	119, 190, 194, 322.
252	Introduced by Sheehy, Tracy: A bill for an act entitled: "An act to promote and encourage proficiency in volunteer firemen and volunteer fire companies in unincorporated areas, villages and towns, through the establishment of a health and welfare fund; authorizing the board of county commissioners to levy a two-mill tax upon the property within each volunteer fire district, and requiring such levy when requested by the chief of the volunteer fire company within such volunteer fire district, with approval of a majority of the active membership of such volunteer fire company; providing for administration of funds raised by such mill levy by the chief of such volunteer fire company, under a plan to be formulated by such chief and approved by a majority of the active membership of such volunteer fire company; providing for an effective date and containing a repealing clause."	119, 391.

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253	Introduced by Harper, Haines, Schepens, Nefzger: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to repeal Section 1b, Article XII of the Constitution of Montana so that monies derived from fees, excises or license taxes relating to registration, operation or use of vehicles on the public highways or to fuels used for the propulsion of such vehicles may be expended for purposes other than those presently enumerated in Section 1b, Article XII."	119, 320, 342, 360.
254	Introduced by McNamara, Judge, Delano: A bill for an act entitled: "An act amending Section 11-986, R. C. M. 1947, by deleting the prohibition against cities and towns erecting structures on parking areas."	120, 240, 266, 293, 298, 312, 483, 488, 489, 493, 494, 514.
255	Introduced by Obstarczyk, O'Hair, Hall: A bill for an act entitled: "An act to provide a residency requirement for appraisers employed by the State of Montana."	120, 213, 233, 254, 260, 276, 515.
256	Introduced by Deschamps, Flynn, Sullivan, Watt: A bill for an act entitled: "An act pertaining to the establishment of junior high schools; and amending Sections 75-4201 and 75-4202, R. C. M. 1947."	120, 352, 380, 416, 435, 439, 629, 667, 674-SA, 706, 707, 729, 737, 849.
257	Introduced by Flynn, Schye: A bill for an act entitled: "An act requiring manufacturers of building material who reside outside the State of Montana to furnish a certificate of approval from an independent testing laboratory and further requiring any building material produced in the State of Montana to be tested and approved by an independent laboratory, and prohibiting any architects from including any untested building material in the specifications for any public buildings, works or improvements."	120, 322.
258	Introduced by Sullivan, Johnson: A bill for an act entitled: "An act amending Section 92-438, defining an independent contractor and relating to legal defense of independent contractor."	120, 187, 202, 225, 230, 394, 415, 435, 441, 515, 544, 554, 556, 589.
259	Introduced by Sullivan, Johnson: A bill for an act entitled: "An act amending Section 92-410, defining employer."	120, 187, 202, 225, 230, 395, 415, 435, 441, 515, 543, 544, 554, 556, 589.

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260	Introduced by Stranahan, Sullivan, Cummings, Ek-lund, Schepens, Raundal, Atkins, Meccage: A bill for an act entitled: "An act providing for a license tax for all persons engaged in the business in this state of selling or issuing to a merchant any trading stamps."	127, 319, 381.
261	Introduced by East, Bashor, Gerke, Swanz, Jenkins: A bill for an act entitled: "An act making it unlawful to obtain or attempt to obtain goods, property or services by false or fraudulent use of credit cards or other false or fraudulent means, and providing penalties therefor."	127, 213, 233, 264, 277, 296, 567, 590, 601-SA, 625, 626, 627, 640, 643, 762.
262	Introduced by Schepens, Tooke, Prevost: A bill for an act entitled: "An act to amend Section 26-201. R. C. M. 1947, as amended, redefining angling or fishing, and further redefining game fish to include all species of the genus polydon (paddle-fish)."	127, 179, 218, 230, 238, 483, 484-SA, 488, 489, 493, 494, 514.
263	Introduced by Delano, Tooke, Zimmer: A bill for an act entitled: "An act to amend Section 26-104. R. C. M. 1947, relating to powers and duties of the Fish and Game Commission, by authorizing the commission to acquire easements upon land and waters suitable for fish and game purposes, by prescribing the manner of conveyance of fish and game land and waters held in the name of the State of Montana, by authorizing the commission to fix possession limits and season limits of fish and game and to declare special seasons to take game birds and fish and fur-bearing animals, and by authorizing the commission to promulgate rules governing use of lands acquired or operated by it in the interest of public health, safety and protection of property."	127, 306, 388, 401, 417, 582, 596, 602-SA, 625, 626, 627, 640, 643, 746.
264	Introduced by Deschamps, Cregg, Flynn, Haines Bollinger, Gilfeather, Sartz, Sheehy, Bardanouve. Johnson, Twedt, Sullivan, O'Hair, Nichols: A bill for an act entitled: "An act amending Section 75-1302, R. C. M. 1947, referring to the powers of the State Superintendent of Public Instruction."	127, 235.
265	Introduced by Gill, Bailey, Smith, Garrison: A bill for an act entitled: "An act requiring advice and consent of the Senate on appointment of certain	

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	commission members; amending Section 26-102, R. C. M. 1947."	127, 179, 192, 210, 211, 228, 483, 484-SA, 488, 489, 493, 494, 514.
266	Introduced by Haines: A bill for an act entitled: "An act to provide the basis of assessment and taxation of property belonging to veterans which is not used in commerce or for profit."	127, 342.
267	Introduced by Haines, Zimmer: A bill for an act entitled: "An act relating to a limitation on levies for rural fire districts by county commissioners and providing for special elections in certain cases."	127, 267, 342.
268	Introduced by Schye, Deschamps: A bill for an act entitled: "An act making it unlawful to throw, dump, deposit or cause to be deposited, any garbage, refuse, waste or litter on the right of way of any state, interstate, or secondary highway, providing for a penalty, reward and a repealing clause."	128, 331, 335, 354, 407, 425, 429, 544, 550, 551, 565, 566, 643.
269	Introduced by Felt by request: A bill for an act entitled: "An act setting forth definitions relative to income tax; providing rates of income taxation; providing tax computation for period less than twelve (12) months; amending Sections 84-4901 and 84-4902, R. C. M. 1947."	128, 250, 278, 303, 308, 327.
270	Introduced by Felt by request: A bill for an act entitled: "An act defining adjusted gross income; amending Section 84-4905, R. C. M. 1947."	128, 250, 272, 303, 318, 336, 567, 580, 581, 585, 589, 661.
271	Introduced by McNamer by request: A bill for an act entitled: "An act providing for deductions in computing net income; amending Sections 84-4906 and 84-4908, R. C. M. 1947."	128, 224.
272	Introduced by McNamer, Sheehy: A bill for an act entitled: "An act providing for filing income tax returns; allowing credit for income taxes imposed by another state or country; providing for withholding payments by employer; amending Sections 84-4919, 84-4937 and 84-4946, R. C. M. 1947."	128, 224.
273	Introduced by McNamer, Sheehy: A bill for an act entitled: "An act providing for release and discharge of liens imposed with respect to any tax due under Title 84, Chapter 49, R. C. M. 1947."	128, 224, 240, 265, 277, 295, 567, 580, 581, 585, 589, 661.

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274	Introduced by Felt by request: A bill for an act entitled: "An act relating to property taxation; providing that all property must be assessed at a fair, just and equitable value; describing the methods for determining assessed value; defining assessed value; amending Sections 84-401, 11-1909, 16-502, 75-3724, 84-101, 84-302, 84-305, 84-402, 84-404, 84-501, 84-503 and 84-5401, R. C. M. 1947."	128, 133, 389.
275	Introduced by Felt by request: A bill for an act entitled: "An act providing for the continuing classification of lands and the appraisal of city and town lots, suburban tracts and rural and urban improvements in the State of Montana for assessment and taxation purposes; defining the procedures to be followed and the duties to be performed by the boards of county commissioners county assessors, and the State Board of Equalization in connection therewith; providing for a means of setting assessed values on lands and improvements classified and appraised; providing for a tax levy; and repealing Sections 84-429.7 to 84-429.13, inclusive, R. C. M. 1947."	128, 133, 389.
276	Introduced by Felt, by request: A bill for an act entitled: "An act relating to the procedures for increasing and reducing assessed values of property by county boards of equalization; repealing Sections 84-602, 84-603, 84-604, and 84-605, R. C. M. 1947."	128, 133, 390.
277	Introduced by Felt by request: A bill for an act entitled: "An act relating to appeals to the State Board of Equalization; for hearing on such appeals; for the payment and disposition of taxes under protest; and amending Section 84-709, R. C. M. 1947."	128, 133, 390.
278	Introduced by Felt by request: A bill for an act entitled: "An act amending Section 84-708, R. C. M. 1947, relating to the duties of the State Board of Equalization; deleting reference to true value: making it a duty of the State Board of Equalization to hold schools for county commissioners as well as appraisers and assessors; permitting such school to be held on one month's notice to participants at any unit of the university system in cooperation with the staff of the system; and deleting the requirement that the biennial report of the State Board of Equalization contain information relating to gasoline prices."	128, 133, 390, 436, 456, 462, 473, 594.
279	Introduced by McNamer by request: A bill for an act entitled: "An act providing for reports from the county clerks and recorders and the county assessors to the State Board of Equalization relative to real estate sales."	129, 133, 390.

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280	Introduced by Watt, Gunderson, Hanks: A bill for an act entitled: "An act to amend Section 75-5101, R. C. M. 1947, relating to acceptance and use of federal funds for schools; containing a repealing clause; and providing an effective date."	129, 345, 360, 407, 425, 430, 629, 667, 700, 701, 713, 760, 770, 775.
281	Introduced by Gerke: A bill for an act entitled: "An act to amend Section 11-2226, R. C. M. 1947, which authorizes a city council to order construction of sidewalks and curbs without the formation of a special improvement district; by providing that a city council may order construction of sidewalks, curbs and gutters, or any combination thereof, without the formation of a special improvement district."	129, 177, 194, 210, 211, 228, 354, 386, 387, 437.
282	Introduced by Bollinger, Bailey, Aasheim, Nefzger, Casey, Lund: A bill for an act entitled: "An act to appropriate money for the institution of a mental hygiene clinic in the city of Glasgow, Montana, for the people residing in northeastern Montana to be established and operated by the State Department of Mental Hygiene and providing an effective date."	129, 768, 770, 774, 778, 781, 788.
283	Introduced by Garrison, James, Smith, Fischer, Gill: A bill for an act entitled: "An act to preserve game animals and protect private property by requiring that nonresident hunters be accompanied by an outfitter or licensed resident, and making any violation a misdemeanor."	129, 366, 410, 447, 454, 464, 629, 667, 675-SA, 706, 707, 729, 737, 838.
284	Introduced by Selstad, Bashor: A bill for an act entitled: "An act amending Section 94-3550, R. C. M. 1947, relating to defrauding the owner of an inn or hotel, mobile home park, tourist camp grounds as defined by Section 69-112, R. C. M. 1947, restaurant, cafe, apartment, rooming or boardinghouse, or hospital, providing for a penalty for violation thereof, containing a repealing clause and providing for an effective date."	129, 213, 229, 254, 260, 274, 567, 595, 601-SA, 645, 646, 668, 669, 838.
285	Introduced by Harper, Tracy, Felt, Lombardi: A bill for an act entitled: "An act to amend Sections 84-6502, and 94-2425, Revised Codes of Montana, 1947, relating to increasing the rate of the license tax on the amount of bets, wagers or	

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	entrance fees handled daily by racing association and relating to increasing to sixty (60) the number of days in any one year during which any fair or racing association can conduct races and divide purses among patrons in all counties having a population of forty thousand people or more." ..	129, 476.
286	Introduced by Christiansen, Sheehy, Cerovski, McNamara, Meccage: A bill for an act entitled: "An act amending Section 84-702, R. C. M. 1947, to require that the members of State Board of Equalization shall be bonded."	129, 203.
287	Introduced by Watt, Cregg, Smiley: A bill for an act entitled: "An act amending Section 75-1813, R. C. M. 1947, providing for the annexation of second class school districts to first or second class districts."	129, 266.
288	Introduced by Bashor: A bill for an act entitled: "An act to amend Section 75-2901 of the Revised Codes of Montana, of 1947, as amended by Section 1 of Chapter 39, Session Laws of Montana, of 1959, relating to compulsory school attendance; requiring parents, guardians or other person having charge of a child seven (7) years of age prior to fall school term and not over eighteen (18) years of age to attend school, either public, private or parochial, accredited by the State Board of Education of the State of Montana; excepting children over eighteen (18) years of age completing the twelfth grade where his wages are necessary for the support of the family; excusing children from school attendance under certain conditions; providing for procedure on appeal where county or city officials refuse to excuse a child from school attendance; and making it a misdemeanor for failure to comply with the provisions of this act. And to amend Section 75-2902 of the Revised Codes of Montana, of 1947, prohibiting the employment of children under eighteen (18) years of age, or a child not completing the twelfth grade, during the school term: permitting children over eighteen (18) years of age to be employed when necessary for the support of his family or their family; requiring age and schooling certificate of children over eighteen (18) years of age not completing twelfth grade before employment; providing penalties for violation of this act; and containing a repealing clause."	134, 277.
289	Introduced by Schye, Eskildsen, Flynn: A bill for an act entitled: "An act amending Section 66-114, R. C. M. 1947, by requiring architects to have adequate errors and omissions insurance when performing any supervisory acts relating to the construction of any public buildings, works or improvements; such insurance to be in effect for	

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	three years after completion of the public buildings, works or improvements."	134, 268, 329, 359, 387, 398, 647, 652, 653, 668, 669, 838.
290	Introduced by Sheehy, Lucas, Cerovski, Hall, Felt: A bill for an act entitled: "An act relating to copyrights and public performing rights in musical compositions; to aid in preventing innocent infringements of the rights of copyright owners; to prevent monopolization, block booking, pooling and the tying together of performing rights and to prevent combinations and conspiracies to monopolize or combine performing rights in musical compositions; to prevent price fixing of performing rights; to regulate the licensing of performing rights and the setting of rates by combinations of copyright owners; to discourage other abuses of copyrights and the copyright owners; to discourage other abuses for violation of this act."	134, 186, 213, 223, 237, 240, 259, 629, 667, 675-SA, 706, 707, 729, 737
291	Introduced by Judge by request: A bill for an act entitled: "An act to prohibit hospitals from assessing laboratory charges against any hospital patient unless such services are ordered by the patients' personal physician, except that in the event of extreme emergencies any physician may order laboratory services; and to prohibit physicians from ordering "routine laboratory services" for any hospital patient; providing penalties for violations; repealing all acts and parts of acts in conflict therewith; and providing an effective date."	134, 234.
292	Introduced by Jensen, Smiley, McNamara, Healy, Dye, Rygg, Haines: A bill for an act entitled: "An act to amend Section 40-2821, R. C. M. 1947 by extending the period when the tax on net insurance premiums shall be two and one-quarter per cent (2¼) of such permiums from the calendar years 1963 and 1964 to the calendar years 1965 and 1966."	134, 224.
293	Introduced by Bashor, Schye: A bill for an act entitled: "An act amending Section 4-113 R. C. M. 1947, to require that every package of liquor sold within the state shall have an official serially numbered seal."	134, 319, 354, 407, 425, 431, 515, 543, 544, 554, 556, 566.
294	Introduced by Bashor, Eskildsen, Schye: A bill for an act entitled: "An act amending Section 4-153 R. C. M. 1947, to require the Liquor Control Board	

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	to maintain written records of liquor received for sampling purposes."	135, 263, 284, 298, 310, 567, 580, 581, 585, 589, 701.
295	Introduced by Bashor, Eskildsen, Schye: A bill for an act entitled: "An act abolishing individual liquor permits; amending Sections 4-113, 4-102, 4-112, 4-116, 4-134, 4-136, 4-137, 4-138, 4-139, 4-159, 4-164, 4-201, 4-202, 4-234, 4-501, and 4-502, R. C. M. 1947; and repealing Sections 4-157, 4-162, 4-165, 4-166, 4-168, 4-511, and 4-123 through 4-132, R. C. M. 1947."	135, 261, 298, 326, 344, 372, 567, 596, 311, 711.
296	Introduced by Bashor, Eskildsen, Schye: A bill for an act entitled: "An act amending Section 4-407.1, R. C. M. 1947, to change the published notice requirement for liquor license transfers from four to two weeks."	135, 241, 266, 293, 304, 313, 567, 580, 581, 585, 589, 701.
297	Introduced by Bashor, Tooke: A bill for an act entitled: "An act repealing Section 4-108, R. C. M. 1947, to remove the salary limitations for employees of the Liquor Control Board."	135, 241.
298	Introduced by Scherf, Zimmer, Eskildsen: A bill for an act entitled: "An act providing that the Montana Veterans' Home is and shall remain at Columbia Falls; and repealing Section 80-303, R. C. M. 1947."	135, 203, 223, 237, 253, 254, 260, 273.
299	Introduced by Scherf, Eklund, Schepens, Prevost: A bill for an act entitled: "An act concerning regulation of advertising devices."	135, 351.
300	Introduced by Zimmer, Deschamps, MacCalman, Haines: A bill for an act entitled: "An act to give counties power to give, sell, or trade property to any county, city, town, or political subdivision; and to provide for the purchase thereof by a county without appraisal."	135, 351, 389, 434, 435, 441, 555.
301	Introduced by Zimmer, Deschamps, MacCalman, Haines: A bill for an act entitled: "An act to permit cities or towns power to give, sell or trade property to any county, city, town, or political subdivision; and to provide for the purchase thereof, by a city without appraisal."	135, 350, 387, 434, 435, 442, 555.
302	Introduced by Rehberg, Woodard: A bill for an act entitled: "An act to amend Section 75-3401, R. C. M. 1947, relating to transportation of public	

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	school pupils and providing that trustees may furnish transportation to public school pupils residing within three (3) miles from a public elementary or secondary school and defray costs thereof from sources other than funds of the school district."	135, 266, 286, 309, 329, 344, 373, 608.
303	Introduced by Bardanouve, Judge, Eskildsen, Gilfeather, Cerovski, Wayrynen, Sheehy, Nichols, Haines: A bill for an act entitled: "An act providing that offices of certain elective officials shall be vacant when they seek another office; and amending Section 93-219, R. C. M. 1947."	135, 235, 250, 268, 304, 330, 359, 371, 372, 410, 423, 567, 584, 585, 591, 594, 743.
304	Introduced by Felt, Cerovski: A bill for an act entitled: "An act to provide for the submission to the electors of the State of Montana, for their vote, the question of whether or not there shall be called a constitutional convention pursuant to Article XIX, Section 8 of the Montana Constitution, for the purpose of revising, altering or amending the Constitution of the State of Montana; to provide for ratification by the electors of the State of Montana of the proposed new constitution."	135.
305	Introduced by Judge by request: A bill for an act entitled: "An act amending Section 94-1201 of the Revised Codes of Montana of 1947; to provide shelter where necessary for household pets."	136, 267, 286, 325, 330, 344, 374, 581, 582, 583, 595, 607, 608, 611, 661.
306	Introduced by Wayrynen, Fischer, Judge, Crum, Lombardi, Schye, Jensen, Loman, Pierce, Sullivan, Healy, Sheehy, O'Leary, Tracy, Eskildsen: A bill for an act entitled: "An act amending Section 4-117, R. C. M. 1947, to provide for a ten per cent (10%) reduction to any retail liquor licensee of quantity purchases from Montana state liquor stores and providing exception."	136, 319, 344, 388, 401, 421, 630.
307	Introduced by Shugrue, Lombardi, Tracy, Johnson: A bill for an act entitled: "An act relating to hours of labor in underground works; amending Section 41-1107, Revised Codes of Montana, 1947 providing portal to portal computation of work time; repealing conflicting acts."	136, 193, 402, 435, 456, 462, 471, 575.
308	Introduced by Sheehy: A bill for an act entitled: "An act increasing the amount nonprofit or mutual ditch companies may levy for certain purposes from five to ten percent of the amount o	

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	capital stock; amending Section 15-702, R. C. M. 1947."	136, 214, 229, 254, 261, 277, 295, 483, 484-SA, 488, 489, 493, 494, 514.
309	Introduced by Johnson, Lombardi, Tracy, Shugrue, Healy: A bill for an act entitled: "An act amending Section 84-710, R. C. M. 1947, to require that changes in assessments of property or assessed valuation of a class or classes of property by the State Board of Equalization must be predicated upon deliberation among and a majority vote of the State Board of Equalization and a county commissioner and the county assessor of the interested county concerned, or a commissioner and assessor selected by them."	136, 392.
310	Introduced by Gilfeather, Sheehy, Willits, Schepens: A bill for an act entitled: "An act to amend Section 82-3302, R. C. M. 1947, providing that the State Board of Examiners shall be the governing board of the Department of Administration; containing a repealing clause; and providing an effective date."	136, 349, 360, 407, 425, 432, 608.
311	Introduced by Sheehy, O'Leary, Gerke: A bill for an act entitled: "An act amending Sections 94-3604, 94-3605 and 94-3606, R. C. M. 1947, as amended, regarding the seizure and destruction of obscene matter."	136, 300, 329, 359, 371, 387, 406, 415, 447, 456, 462, 472, 629, 667, 675-SA, 706, 707, 729, 737, 838.
312	Introduced by Sheehy, O'Leary, Gerke: A bill for an act entitled: "An act amending the statute on the distribution of obscene literature or material to minors or others, regarding the trial of actions brought under this section and providing penalties for its violation."	136, 300, 327, 412, 436, 452, 456, 462, 472, 476, 615.
313	Introduced by Gilligan, Healy, Loman, Tooke, Atkins: A bill for an act entitled: "An act to amend Chapter 24 of Title 66 of the Revised Codes of Montana, 1947, by amending Section 66-2402 relating to licensing of plumbers by adding thereto requirements for licensing journeyman plumbers and master plumbers; and by amending Section 66-2403 relating to the membership of the Board of Plumbing Examiners by adding two members thereto and providing for their appointment by the Governor; and by amending Section 66-2418 by adding thereto provisions establishing a fixture fee to be used for the inspection and enforcement	

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	of the state plumbing code and authorizing a state plumbing inspector, and providing for a penalty for failure to pay the fixture fee established."	136, 251, 286, 308, 318, 339, 354, 357, 452, 545, 546, 558, 568, 581, 595, 603-SA, 614, 625, 627, 640, 643, 762.
314	Introduced by Nutting, Schye, Felt, Mather, Spilde: A bill for an act entitled: "An act to authorize, in certain instances, the boards of county commissioners to levy an additional tax of not to exceed ten and one-half (10.5) mills for the county poor funds, providing for an effective date and repealing all acts and parts of acts in conflict herewith."	137, 363, 410, 453, 465, 647, 652, 653, 668, 669, 838.
315	Introduced by O'Hair, Harper: A bill for an act entitled: "An act to govern dispensing of trading stamps by individuals, firms, or other concerns to customers of such individuals, firms, and concerns; designating the duties of trading stamp companies; providing penalties for violations; and providing an effective date."	137, 277, 278, 281.
316	Introduced by Schepens, Sheehy: A bill for an act entitled: "An act to amend Section 16-3705, R. C. M. 1947, to provide additional qualifications for deputy sheriffs in first class counties; providing tenure for such deputies; providing grounds for discharge of such deputies; providing for appeal procedure; containing a repealing clause and an effective date."	137, 351, 360, 407, 425, 432, 670.
317	Introduced by Schepens, O'Hair: A bill for an act entitled: "An act to require owners of house trailers to display property tax paid stickers on their house trailers and to require persons transporting house trailers to display property tax paid stickers and to produce property tax paid receipts for state law or weight enforcement officials."	137, 331, 354, 406, 408, 415, 435, 438, 629, 667, 676-SA, 706, 707, 729, 737, 851.
318	Introduced by Holtz, Gunderson, Nefzger: A bill for an act entitled: "An act providing for an embargo against the importation of grain, hay, straw, plants, seeds, tubers, nursery stock or fruit containing noxious weed seeds into the state; and amending Section 16-1708, R. C. M. 1947."	137, 262, 286, 308, 327, 340, 515, 543, 544, 554, 556, 566.
319	Introduced by Cerovski, Sheehy: A bill for an act entitled: "An act to amend Section 84-1812(1) o f	

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	R. C. M. 1947, to allow an annual expenditure of one hundred and ninety-five thousand dollars (\$195,000.00) for the dissemination of public information; specifying qualifications for the employee placed in charge of the dissemination of public information; repealing all acts in conflict herewith; and providing this act shall be in force and effect after its passage and approval."	137, 305.
320	Introduced by Cerovski, Wayrynen: A bill for an act entitled: "An act to amend Section 23-502 of the Revised Codes of Montana, 1947, relating to registry books and registry cards, to provide for the inclusion of political party affiliation; providing for the declaration of political affiliation and voting at primary elections; providing for registering change of political affiliation; providing for the form of affidavit for change of political affiliation; providing for an elector to retain the same registration number as he had prior to this act; to amend Section 23-919 of the Revised Codes of Montana, 1947, relating to arrangement of ballots to conform to the intent of this act; to amend Section 23-1402 of the Revised Codes of Montana, 1947, relating to war registration cards, to provide for the inclusion thereon of the political affiliation; containing a repealing clause and providing an effective date."	137, 268.
321	Introduced by Wayrynen, Fischer: A bill for an act entitled: "An act to amend Section 4-318 of the Revised Codes of Montana of 1947, relating to application and issuance of beer wholesalers' licenses, to provide that if an applicant is a Montana corporation which has not been organized for five years it may nonetheless qualify if all its stockholders have been Montana residents for a period of five years immediately prior to making application; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	137, 270, 298, 326, 331, 355, 494, 496, 594, 631, 637-SA, 652, 653, 668, 669, 838.
322	Introduced by Delano, MacCalman: A bill for an act entitled: "An act to amend Section 19-107 R. C. M. 1947, relating to legal holidays and business days, to provide for holidays that fall upon a Saturday."	138, 212, 812.
323	Introduced by Schye, Mather, Broeder, McNamer: A bill for an act entitled: "An act relating to eminent domain proceedings; altering and revising the procedures for determining compensation to be paid defendants and for putting the plaintiff in possession; amending Section 93-9911, R. C. M. 1947, relating to the power of the court and preliminary condemnation order, to strike out matter	

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	which refers to assessment of compensation amending Section 93-9912, R. C. M. 1947, to provide for the use of the district court or judge for making the preliminary assessment of compensation, instead of using value commissioners, and to provide generally for the ascertainment and assessment of compensation, including land taken for underground natural gas storage reservoir; amending Section 93-9915, R. C. M. 1947, to provide the procedure for determining compensation in district court and to provide generally for the rights of the parties; amending Section 93-9920, R. C. M. 1947, to provide the procedure for putting the plaintiff in possession; repealing Section 93-9914, R. C. M. 1947; providing a severability clause; providing an effective date."	138.
324	Introduced by Tracy: A bill for an act entitled: "An act to authorize and empower counties, cities, towns, school districts or other municipal subdivisions of the State of Montana, and agencies, departments, offices and divisions of the state government, individually or in combination, to enter into and carry out contracts, agreements and plans with agencies and departments of the United States government and to expend monies to implement and secure the benefits of Public Law 88-452 of the 88th congress, enacted August 20, 1964 (78 Statute 508), known as "The Economic Opportunity Act of 1964."	138, 327, 344, 388, 406, 425, 431, 629, 667, 676-SA, 760, 770, 775, 849.
325	Introduced by Schepens, Meccage, Flynn, Jensen Christiansen, Harper, Eskildsen, Ulmer: A bill for an act entitled: "An act amending the Liquor Control Act of Montana to eliminate the necessity of placing official seals on packages or cases of wine."	138, 411.
326	Introduced by Twedt, Slaby: A bill for an act entitled: "An act to amend Sections 35-128 and 35-129 of the Revised Codes of Montana, 1947, relating to housing authorities; further defining the area of operation of county housing authorities, and clarifying the power of county housing authorities to undertake housing projects and to contract with the federal government upon the approval of the board of county commissioners; and to declare an emergency requiring that this act take effect from the date of its passage."	138, 392, 436, 456, 462, 473, 713, 760, 761, 770, 775.
327	Introduced by O'Hair, Harper: A bill for an act entitled: "An act appropriating \$2,800,000 for a juvenile institution at Livingston; and appropriating \$650,000 to convert the juvenile institution at	

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	Miles City to an institution for mentally retarded persons."	138, 449, 817.
328	Introduced by Harper, O'Hair: A bill for an act entitled: "An act authorizing the State Department of Public Institutions to establish minimum security facilities for youths who do not have severe adjustment problems; and appropriating \$600,000 for the construction of two youth forest camps in Park county."	138, 817.
329	Introduced by Lund, Watt, James, Haines: A bill for an act entitled: "An act providing for changes in foundation program schedules for elementary and secondary schools as provided in Section 1. Section 75-1713.1, R. C. M. 1947, and Section 15. Section 75-4518.1, R. C. M. 1947."	139.
330	Introduced by Leuthold, Hanks: A bill for an act entitled: "An act to promote, establish and organize upon a permanent basis in the State of Montana scientific and intensive research in the production, marketing and utilization of wheat grown in Montana; to create in the Department of Agriculture of the State of Montana a division of wheat and marketing research; to define terms used in this act; to declare the public policy of the State of Montana in the field of such research and marketing; designating the powers and duties of such division in the said department and of said department in connection therewith: to create an administrative committee to be known as the Montana Wheat Research and Marketing Committee, and to prescribe its powers and duties; to provide for the making of certain reports by such agencies; levying an excise tax of two and one-half (2½) mills per bushel of wheat on the grower thereof to provide for the expense of such research and the administration and enforcement of this act; to make certain acts and practices unlawful and to provide penalties therefor; to repeal all acts and parts of acts in conflict with this act, and providing that this act shall be in full force and effect from and after its passage and approval."	139, 328, 354.
331	Introduced by Tracy, Gunderson, Obstarczyk, McOmber, Harper: A bill for an act entitled: "An act requiring the State Fish and Game Director to furnish monthly financial reports to the Fish and Game Commission and providing that copies of monthly financial reports shall be furnished to any person or group on request; amending Section 26-124, R. C. M. 1947."	139, 261.
332	Introduced by Harper: A bill for an act entitled: "An act prohibiting the levying or collecting of the cigarette taxes authorized by Initiative No. 54, as amended, after retirement of all bonds issued thereunder without the approval of the	

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	qualified electors of this state; and to submit to the qualified electors of Montana an amendment to Initiative No. 54, as amended, allowing the proceeds from the taxes authorized therein to be used for the construction and remodeling of state buildings."	139, 206, 353, 394, 426, 442, 444, 785, 786, 792, 797, 802, 803, 819, 823, 849.
333	Introduced by Harper, Eskildsen, Nefzger, O'Hair, Lombardi, Flynn, Aasheim, Twedt, Judge, Tracy, Schepens, Laas: A bill for an act entitled: "An act to Amend Section 77-1001, Revised Codes of Montana, 1947, relating to membership of Veterans Welfare Commission by reducing the membership from 5 to 4, and changing the qualifications for appointment thereto."	139, 343, 360, 407, 425, 427, 451, 629, 667, 676-SA, 706, 707, 729, 737.
334	Introduced by Rygg, Pierce, Dye: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Montana Constitution permitting the Legislative Assembly to exempt from property taxation motor vehicles."	139, 237, 320.
335	Introduced by Rygg, Pierce, Dye: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Montana Constitution excepting from the provisions of Article 12, Section 1b, taxes for license fees imposed in lieu of taxes on motor vehicles."	139, 237, 320.
336	Introduced by Haines: A bill for an act entitled: "An act amending Section 16-1713, R. C. M. 1947 relating to mileage and per diem of weed control and weed seed extermination supervisors."	139, 262, 278, 303, 318, 338, 515, 550, 551, 565, 566, 628.
337	Introduced by McNamara, O'Leary: A bill for an act entitled: "An act to amend Section 92-611. Revised Codes of Montana of 1947, relating to the supervision of hospital charges under the Workmen's Compensation Act by the Industrial Accident Board; repealing all acts or parts of acts in conflict herewith, and providing an effective date."	140, 243, 272, 293, 298, 311, 489.
338	Introduced by Deschamps: A bill for an act entitled: "An act providing for the organization, regulation and taxation of medical service corporations and hospital service corporations under the Montana insurance code; placing such corporations under the administrative regulation of the State Insurance Commissioner; and repealing Section 40-2611, R. C. M. 1947."	140, 277.

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339	Introduced by McNamara, Judge: A bill for an act entitled: "An act authorizing county, city-county and district boards of health to offer out-patient nursing care in a sick-at-home program, charge fees for services and tests which may be required, provided such services and tests are given under the supervision of a physician; providing for a special fund; providing for the acceptance of any federal or state funds which may be made available; providing a repealing clause, and an effective date."	140, 304, 342, 386, 410, 614, 625, 626, 627, 640, 643, 746.
340	Introduced by McNamara, Nefzger, Atkins, Meccage, Sullivan, Christiansen: A bill for an act entitled: "An act amending Sections 92-104 and 92-108, R. C. M. 1947, to change the composition of the Industrial Accident Board and prohibit additional compensation to the Insurance Commissioner."	140, 223.
341	Introduced by McNamara, Meccage, Sullivan: A bill for an act entitled: "An act amending Section 40-2713, R. C. M. 1947, to require examination by the Commissioner of Insurance of the State of Montana of the administration of compensation plan number three by the Industrial Accident Board."	140, 243.
342	Introduced by McOmber: A bill for an act entitled: "An act regulating automobile graveyards; amending Section 11-918, R. C. M. 1947."	144, 362.
343	Introduced by Zimmer, Flynn: A bill for an act entitled: "An act amending Section 69-3503, R. C. M. 1947, to require that every motorboat or vessel on the waters of this state propelled by machinery of more than five horsepower shall be numbered."	144, 361.
344	Introduced by Zimmer, Atkins: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article V of the Constitution of Montana to provide that the term of office of members of the Montana House of Representatives shall be four years, except for members of the 1967 House of Representatives, one-half of whom shall hold office for two years and one-half of whom shall hold office for four years."	144, 320, 344, 387, 401, 419.
345	Introduced by Selstad: A bill for an act entitled: "An act to require that those buildings and facilities, constructed in the state by the use of state, county or municipal funds, shall adhere to the principles prescribed by this act in order to make	

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	these buildings and facilities accessible to, and usable by, the physically handicapped."	144, 348, 410, 453, 464, 614, 645, 646, 668, 669, 838.
346	Introduced by Aasheim, Gilfeather, Twedt: A bill for an act entitled: "An act to provide expanded opportunities in vocational education including technical education; creating a state board for vocational education; providing for membership, powers, and duties of such board; providing for duties of the State Superintendent of Public Instruction; providing for acceptance of acts of Congress relating to vocational education; providing for apportionment of federal funds; providing for duties of the State Treasurer; appropriating moneys to carry out the purposes of this act; amending Sections 75-4241, 75-4242, 75-4243, 75-4244, 75-4246, 75-4247, and 75-4302, R. C. M. 1947; repealing Section 75-4245, R. C. M. 1947; and providing for an effective date."	144, 344, 653, 679, 706, 729, 738, 785, 789, 805, 812, 823, 848, 851, 852.
347	Introduced by Hanks, Leuthold: A bill for an act entitled: "An act requiring the registration of all civil aircraft operating within the State of Montana with certain exceptions; establishing the amount of the registration fees and the time and place of payment; providing that payment of registration fees shall be in lieu of all property tax on civil aircraft; providing for the registration of civil aircraft by the Montana Aeronautics Commission, for the issuance of a certificate of registration and duplicate registration certificates and requiring that aircraft carry the certificate of registration at all times in a conspicuous position; providing for the expiration and renewal of registration and for the report of registration to county assessors; providing for transfer of registration certificates; providing for the disposition of moneys received for registration of aircraft; repealing all acts and parts of acts in conflict herewith, and prescribing an effective date of the act."	144, 348, 394, 434, 443, 615, 629, 638, 662.
348	Introduced by Stranahan, Deschamps, Schye: A bill for an act entitled: "An act to provide a charge of fifty (50) cents per page for copies of income tax returns or corporation license tax returns and a charge of one dollars (\$1.00) for issuance of a certificate of good standing."	145, 279, 344, 388, 401, 417, 582, 607, 608, 611, 762.
349	Introduced by Selstad, Gunderson: A bill for an act entitled: "An act removing the limitation of two	

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	additional trustees to be added in third class school districts when membership on the board of trustees is increased; and amending Section 75-4601, R. C. M. 1947."	145, 235.
350	Introduced by Loman, Sheehy, Jensen, Bailey, Christiansen: A bill for an act entitled: "An act to institute and maintain in the Board of Health a regulatory program for sources of ionizing radiation; to provide for compatibility with the standards and regulatory provisions of the federal government a single effective system of regulation; providing for the licensing and registration of persons handling radioactive materials or equipment using such materials; setting forth penalties for non-compliance; providing a repealing clause."	145, 362.
351	Introduced by Rehberg, Crum, Pierce: A bill for an act entitled: "An act to amend Chapter 12 of Title 23, Revised Codes of Montana, 1947, by adding thereto a new section providing for the conduct of elections under the provisions of Sections 16-2202, 84-4706, 75-4505, 75-1723, 75-3801, and 75-3913, Revised Codes of Montana 1947, and all other laws relative to elections concerning the issuance of bonds or debentures or the increasing of tax levies or the creation of debts, providing for the qualifications of voters at such elections, providing for the form of ballots at such elections, providing that a majority of the taxpayers and a majority of the real estate taxpayers must vote for such measures in order to adopt and approve the same; to amend Chapter 3 of Title 23, Revised Codes of Montana 1947, by adding thereto a new section providing for the qualification of electors in elections involving bonds, debentures, debts and tax levies; to amend Section 23-304, Revised Codes of Montana 1947, to provide for listing of taxpayers and real estate taxpayers on the poll books; to amend Sections 16-2202, 75-3804, 84-4706, 75-3913, 75-1723 and 75-4505, Revised Codes of Montana, 1947, to provide for the manner of conducting elections; repealing Sections 16-2203, 84-4707, 84-4708, 84-4709, 84-4710, 75-3911, 75-3912, all dealing with elections on bond or debenture issues and tax levies, repealing all acts and parts of acts in conflict herewith, and providing an effective date for this act."	145, 269.
352	Introduced by Pierce: A bill for an act entitled: "An act to amend Section 53-618 to eliminate reference to Section 53-114 and substitute therefor a reference to Section 53-615."	145, 203, 237, 254, 260, 275, 614, 645, 646, 668, 669, 838.
353	Introduced by Rehberg, Gerke, Woodard, Leuthold, O'Leary, Sheehy, Nichols, Crum, Pierce: A bill for an act entitled: "An act known as the Mon-	

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	tana air pollution control act; declaring policy; defining terms; creating an air pollution control commission and providing for its organization, terms of members, compensation and expenses, fixing the duties and powers of said commission; providing for a study of air pollution and adoption of rules and regulations for the prevention and control thereof; providing for enforcement thereof and prohibition of violations of the act or rules and regulations adopted thereunder; providing for hearings and notices by the commission; providing for appeals from determinations by the commission; providing for creation, organization, powers and duties of county air pollution control divisions; providing for investigation of violations of act and rules and regulations thereunder; making the State Board of Health responsible for investigations and providing for its powers; authorizing the State Board of Health to cooperate with the commission in conducting and supervising research programs and requiring certain persons to file reports with the board containing information relative to air pollution; providing for appeals to the district courts and trial de novo; providing for appeals to the supreme court; repealing laws or parts of laws in conflict therewith; and providing a severability clause."	145, 476.
354	Introduced by Eskildsen, Nichols, Flynn: A bill for an act entitled: "An act to amend Section 82-3319, R. C. M. 1947, to provide that the State Controller shall appoint any architect or consulting engineer for work on any state buildings to be constructed, remodeled, or renovated, subject to approval by the State Board of Examiners, and containing a repealing clause."	146, 268, 286, 309, 327, 340, 608, 615, 669, 706, 707, 729, 737, 838.
355	Introduced by Smiley, Dye, Nelson, Eklund, Cummings, Schepens, O'Hair, Ulmer: A bill for an act entitled: "An act relating to taxation of irrigation and drainage facilities."	146, 351, 387, 416, 435, 438, 595, 607, 608, 611, 761.
356	Introduced by Johnson, Shugrue, Tracy, Lombardi, Slaby, Gilligan: A bill for an act entitled: "An act relating to the payment of compensation for injury causing death under the workmen's compensation act; providing for the payment of compensation where the decedent leaves no major or minor dependents; and amending Section 92-704, R. C. M. 1947."	146, 347, 363, 408, 425, 432, 583.
357	Introduced by Gilfeather, Hall: A bill for an act entitled: "An act to amend Section 10-524, Revised Codes of Montana, 1947, relating to the cir-	

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	cumstances under which the state will help aid dependent and neglected children by including state payments for children in licensed private institutions; and repealing all acts and parts of acts in conflict therewith."	146, 206, 270, 286, 308, 318, 339, 582, 607, 608, 611, 762.
358	Introduced by Gilfeather, Sheehy, Slaby, Holtz: A bill for an act entitled: "An act regrouping property into seven classes for taxation and specifying the taxable rate for each; amending Sections 84-301 and 84-302, R. C. M. 1947."	146, 381.
359	Introduced by Eskildsen, Nichols: A bill for an act entitled: "An act relating to the payment of extra services and the schedule for payments to architects; providing for a reduction of compensation where actual supervision is not done; and declaring that by acceptance of the contract the architect shall be deemed to have agreed that the final cost of construction of a public building, work or improvement will not exceed the authorized amount therefor, and will save the State of Montana, or any agency thereof, or any county, city, or school district in the state harmless from any excess costs after the award of the contract."	146, 349, 389, 434, 447, 453, 465, 608.
360	Introduced by Rygg by request: A bill for an act entitled: "An act requiring every person, firm or corporation in this state proposing to erect any building or other structure, to obtain a permit from the board of county commissioners of the county in which the building or other structure is to be erected."	146, 342.
361	Introduced by Johnson, Cregg, Jenkins, Bardanouve: A bill for an act entitled: "An act relating to industrial development; to define terms; to provide for the acquisition, purchase, construction, reconstruction, improvement, betterment, and extension of industrial development by cities, towns, and counties for the prescribed uses and purposes; to authorize and regulate the issuance of mortgages and revenue bonds for financing such industrial development as prescribed; to provide for payment of such mortgages and bonds; to provide for leasing of property; and to provide for payment of taxes."	146, 199, 223, 237, 240, 257, 507, 511, 520, 521, 589.
362	Introduced by Hall: A bill for an act entitled: "An act to amend Section 80-1302 (4), Revised Codes of Montana, 1947, relating to definitions and to provide that people eligible to be treated at the Montana Center for the Aged shall be considered patients therein even though unable to be admitted because of overcrowded conditions and to re-	

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	peal Section 80-1304 (4) and (5); Revised Codes of Montana, 1947, which have been declared unconstitutional; and to repeal all acts in conflict therewith."	147, 342, 360, 388, 408, 425, 431, 608.
363	Introduced by Hall: A bill for an act entitled: "An act to amend Section 40-3906 (4), Revised Codes of Montana, 1947, relating to life insurance of debtor groups and removing the limitation of ten thousand dollars contained in said section and providing that the amount of life insurance shall be limited to the amount owed by the debtor to the creditor, and to repeal all acts in conflict therewith."	147, 192, 205, 225, 230, 237, 249, 259, 514, 546, 558-SA, 572, 585, 588, 661.
364	Introduced by Tracy, Sheehy, O'Leary, Gilligan: A bill for an act entitled: "An act relating to safety and mine inspections; amending Section 92-1206, Revised Codes of Montana, 1947; providing for election of State Inspector of Mines; establishing powers, duties and term of such office; providing salary and bond; providing for first and subsequent elections; repealing conflicting acts."	147, 348.
365	Introduced by Gilligan, Hall, Holtz, Gunderson, Gilfeather, Haines: A bill for an act entitled: "An act providing for filing a party designation to be a requirement to vote in primary elections; amending Sections 23-502, 23-919, and 23-1403, R. C. M. 1947, to effect this purpose."	147, 269, 318, 350, 354, 359, 387, 399.
366	Introduced by Fischer, O'Hair, Pierce: A bill for an act entitled: "An act to amend Section 32-1127, R. C. M. 1947, as amended by Section 5, Chapter 243, Laws of 1961 by providing for a permit description of the powered or towing vehicle in place of the permit description of the vehicle or load to be operated or moved."	147, 331, 360, 407, 425, 429, 648, 652, 653, 668, 669, 838.
367	Introduced by Bardanouve, Deschamps, Twedt, Schepens, Aasheim, Harper: A bill for an act entitled: "An act requiring the disclosure of finance charges in connection with extensions of credit."	147, 304.
368	Introduced by Crum, Rehberg, Pierce, Woodard, McNamer: A bill for an act entitled: "An act permitting the investment of interest and sinking fund moneys of special improvement districts."	147, 279, 317, 344, 378, 507, 520, 521, 566.

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369	Introduced by Crum, Fischer, Selstad, Smiley, Lombardi, Nichols: A bill for an act entitled: "An act defining regulating and controlling motor vehicle dismantlers and licensing of motor vehicle dismantlers; regulating the storage, dismantling and burning of junked motor vehicles; providing safety regulations; providing for marking of titles to junked automobiles; regulating dismantling of motor vehicles by other than an authorized dismantler; providing for removal and dismantling of abandoned motor vehicles; and providing penalties for violation of this act."	147, 383, 412, 455, 461, 462, 474, 583.
370	Introduced by Gilligan, Holtz, Mather, Haines, O'Leary, Willits: A bill for an act entitled: "An act defining 'automobile junkyards', and declaring 'automobile junkyards and automobile graveyards' to be unsafe, unhealthy and a public nuisance and providing for the regulation and control by municipal and county officials by means of a non-transferable permit to operate and maintain the same, issued after public notice and hearing, and subject to certain limitations."	147, 362.
371	Introduced by Twedt, Hanks, Slaby: A bill for an act entitled: "An act concerning tax levies for city and county emergencies."	148, 214, 250, 272, 277, 296, 483, 484, 485-SA, 488, 489, 493, 494, 514.
372	Introduced by Delano, Bailey, Fischer: A bill for an act entitled: "An act declaring public policy relative to and providing for the construction, development, maintenance, control and operation of private fish ponds, for fee fishing and for the commercial propagation and sale of game fish in the State of Montana; providing for the protection of game fish in public waters effected thereby; establishing a system of licenses; vesting in the Fish and Game Commission proper rule making power for carrying out the purposes of the act; providing a penalty for the violation thereof; and repealing Section 26-306, R. C. M. 1947, and all other acts or parts of acts in conflict herewith, and fixing the effective date upon passage and approval."	148, 305, 360, 407, 425, 428, 561.
373	Introduced by Casey, Lund, McDonald, Williams, Leuthold: A bill for an act entitled: "An act changing the time for filing of candidates for second and third class district school boards from five to twenty days preceding the election; amending Section 75-1604, R. C. M. 1947."	148, 266, 286, 309, 327, 341, 515, 543, 544, 554, 556, 566.
374	Introduced by Sheehy, McNamer: A bill for an act entitled: "An act amending Section 81-803, R. C.	

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	M. 1947, to provide for an exemption from filing plats when applying for easements on state lands for pipelines and to provide for consent of a purchaser under a sales contract."	148, 204, 229, 254, 260, 274, 614, 639, 668, 669.
375	Introduced by Shugrue, Tracy, Healy, Lombardi: A bill for an act entitled: "An act amending Section 75-4243, R. C. M. 1947; providing for the creation of a Vocational Education Board composed of seven (7) members; providing for the appointment of members to the board, and transferring the duties of the State Board of Education to the Vocational Education Board."	148, 215.
376	Introduced by Johnson: A bill for an act entitled: "An act changing the eligibility requirements for aid to persons having silicosis; and amending Section 71-1003, R. C. M. 1947."	148, 216, 318, 344, 388, 401, 420, 575.
377	Introduced by Felt: A bill for an act entitled: "An act providing basis for computation of corporation license tax; providing for filing corporate license tax return; amending Section 84-1504, R. C. M. 1947."	148, 382, 412, 453, 454, 466, 594.
378	Introduced by Felt: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 8, Article XVI of the Constitution of Montana to provide that the Legislature may consolidate all counties within a state legislative or senatorial district into one county."	148, 320, 742.
379	Introduced by McNamer, Felt, Lucas, Jensen, Smiley: A bill for an act entitled: "An act to provide that the boards of county commissioners who have completed the classifications and appraisals required by Sections 84-429.7 to 84-429.13, inclusive, Revised Codes of Montana, 1947, immediately assess local taxable property in accordance with the appraisals and classes so determined; providing that the board of county commissioners must certify their actions in relation to said classification and appraisal to the State Board of Equalization; providing that each county assessor must base his assessment of all lands, city and town lots and all improvements in his county for the year 1966 on such classification and appraisal made by the board of county commissioners; providing that the county assessors must certify their action relative to such classification and appraisal to the State Board of Equalization; providing that the boards of county commissioners who have not done so, must complete the classification and appraisals required in Sections 84-429.7 to 84-429.13, inclusive, Revised Codes of Montana, 1947, by December 31, 1965,	

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	and shall deliver the same to the county assessor; providing for a reduction in state school equalization funds for those counties who shall fail to comply; providing for an effective date."	148, 390.
380	Introduced by McNamer, Felt, Lucas, Jensen, Smiley: A bill for an act entitled: "An act providing for surveys to determine total true valuation of all locally assessable property; sample appraisals and sale prices as guides for determination; access to records of county assessors and opportunity to examine and discuss appraisals; annual estimates of changes in full cash value of locally assessable property, and bases for estimate; transmission of determination to county assessors; final action in equalizing assessments for local tax rolls; hearings on adjustments of assessable values; final statement as prima facie evidence of regularity of proceedings; manner of equalization of assessments of taxable property in counties; city, town, and county adjustment necessitated by increase or decrease in valuation of property on local tax rolls; extension of time for performance of act, and limitation of extensions; providing for an effective date."	149, 412.
381	Introduced by McNamer, Felt, Lucas, Jensen, Smiley: A bill for an act entitled: "An act empowering the State Board of Equalization to furnish to the State Board of Education annual statements showing true values and assessments for each of the counties; amending Chapter 36, Title 75, Revised Codes of Montana, 1947, by adding a new section thereto providing that the total amount apportionable from the state public school equalization fund to the school districts of each county shall be equalized according to the percentage by which the state ratio of assessments to true value exceeds the county ratio of assessments to true value, or the county ratio of assessments to true value exceeds the state ratio; and repealing all acts and parts of acts in conflict herewith."	149, 412, 426.
382	Introduced by McNamer, Felt, Lucas, Jensen, Smiley: A bill for an act entitled: "An act authorizing the State Board of Equalization, commencing in 1966, to determine true values and assessments for each of the counties and to determine county ratio and state ratio of assessments to true value; providing that the State Board of Equalization shall certify the percentage by which the state ratio exceeds the county ratio in any county entitled to net proceeds assessments, or to apportionment of railroad, airline, utility and other assessments made by the state board; providing that the county treasurer in such county in which the county ratio is less than the state ratio shall compute the taxes collected from mill levies on net proceeds assessments and on	

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	apportionment of railroad, airline, utility and other assessments made by the state board and shall remit to State Treasurer for the state public school equalization fund that percentage of such tax collection by which the state ratio exceeds the county ratio."	149, 390, 461.
383	Introduced by Gilfeather, Sheehy, Willits, Hall, Felt, Twedt: A bill for an act entitled: "An act to provide for civil rights; defining terms; and providing for a penalty for violations; and an effective date."	149, 244, 266, 293, 304, 315, 594, 631, 637-SA, 652, 653, 668, 669.
384	Introduced by Rehberg, Sheehy, Tooke, O'Leary, Delano: A bill for an act entitled: "A bill to authorize the issuance of operating licenses or permits for privately owned and operated shooting preserves by the Montana Fish and Game Commission and fixing fees for license or permit; providing for the release of artificially propagated game and the taking of the same on privately owned and operated shooting preserves; providing for the fixing of shooting seasons on the same; providing for the maintenance of records by operators thereof; providing for the revocation of licenses or permits for privately owned and operated shooting preserves; and providing a repealing clause."	149, 345, 410, 447, 454, 463, 613, 663-SA, 706, 707, 729, 737, 849.
385	Introduced by Felt: A bill for an act entitled: "An act providing that in civil actions for damages to a motor vehicle, where the claimed damages do not exceed the sum of five hundred dollars (\$500.00), the court shall allow to the plaintiff, if he shall obtain a judgment, a reasonable attorney's fee and his costs in the action."	150, 244, 272, 293, 304, 314, 595, 607, 608, 611, 662, 669, 670, 702.
386	Introduced by Bardanouve, Sheehy: A bill for an act entitled: "An act to provide a rebuttable presumption that possession of recently stolen property shall be deemed prima facie evidence of guilt or larceny."	150, 245, 263, 284, 298, 309, 613, 663, 666-SA, 706, 707, 729, 737.
387	Introduced by Twedt, Nefzger, Meccage, Prevost, Stranahan: A bill for an act entitled: "An act to amend Section 82-1519, R. C. M. 1947, by changing the provision pertaining to the salary of the	

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	chairman of the State Board of Hail Insurance; and containing and effective date.”	150, 233, 266, 293, 298, 310, 567, 595, 601-SA, 625, 626, 627, 640, 643, 762.
388	Introduced by Judge, Bardanouve: A bill for an act entitled: “An act abolishing the office of State Engineer and vesting the duties of that office in an engineer appointed by the Water Conservation Board; abolishing the Carey Land Act Board and transferring any remaining properties and duties of that board to the Water Conservation Board; amending Sections 81-2007, 81-2008, 81-2009 and 81-2101, R. C. M. 1947; and repealing Sections 81-2001, 81-2002, 81-2003, 81-2004, 81-2005, 81-2006, 81-2010, 81-2012, 81-2013, 81-2015, 81-2017, 81-2102 through 81-2121, 81-2123 and 81-2125 through 8-2130, R. C. M. 1947.”	150, 233, 272, 303, 318, 337, 615.
389	Introduced by Smiley, Hall, Dye, Eskildsen, Cеровski: A bill for an act entitled: “An act to amend Section 32-2170, R. C. M. 1947, relating to right of way of vehicles at intersections not controlled by sign or signals; by eliminating the provision which grants right of way to first vehicle which has entered intersection; requiring vehicles approaching intersection to yield to vehicle on right; repealing all acts and parts of acts in conflict herewith.”	150, 251, 272, 294, 304, 314, 614, 625, 626, 627, 640, 643, 746.
390	Introduced by Laas, Fischer: A bill for an act entitled: “An act providing for the method of establishment of original schedules of railroad rates and classifications; providing for the method of giving notice thereof; providing for the method of changing or revising any railroad rate, fare charge, classification, schedule, or rule or service; providing the procedures to be followed in filing and investigating complaints against railroad rates, fares, charges, or classifications; providing for discretionary suspension of railroad rates, fares, charges, classifications, schedules, or rules of service under certain circumstances; providing that railroads affected by the provisions of this act shall display its rates and classifications and providing a penalty for non-compliance; and repealing Sections 72-117 and 72-118, Revised Codes of Montana, 1947.”	150, 277.
391	Introduced by Loman: A bill for an act entitled: “An act setting state party organization meetings in odd numbered years; amending Section 23-932, R. C. M. 1947.”	150, 366, 410, 447, 454, 463, 589.

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392	Introduced by Delano: A bill for an act entitled: "An act to amend Section 26-320 Revised Codes of Montana, 1947, to require the State Fish and Game Commission to place all of the State of Montana in the Pacific flyway for the hunting of migratory game birds, unless the United States Department of Interior specifically orders otherwise; and repealing all acts in conflict with this act."	150, 305, 342, 360, 387, 399, 561.
393	Introduced by Hall: A bill for an act entitled: "An act to amend Section 93-5813, R. C. M. 1947, by providing that one television set shall be exempt from execution; providing an effective date for this act."	151, 279, 304, 330.
394	Introduced by Hall: A bill for an act entitled: "An act to amend Section 21-138, R. C. M. 1947, by providing that in an action for divorce the court or judge may provide for the education of the children of the marriage until the male and female children have reached the age of twenty-one years."	151, 245, 266, 293, 304, 314, 589.
395	Introduced by Judge, by request: A bill for an act entitled: "An act to provide for public safety; providing that ambulances shall have a qualified first aid man on calls; defining terms; providing for enforcement by State Highway Patrol Board; repealing conflicting acts."	151, 241, 278, 303, 318, 337, 621.
396	Introduced by Hall: A bill for an act entitled: "An act to amend Section 45-502, R. C. M. 1947, relating to mechanic's liens by providing that no lien shall be filed until thirty (30) days after notice of intent to claim a lien has been served upon the owner or occupant of the real property; providing the contents of the notice; providing that a lien may be filed within one hundred twenty days after material is furnished, mechanical work or labor is performed."	151, 322.
397	Introduced by Hall: A bill for an act entitled: "An act to amend Section 33-124, R. C. M. 1947, by increasing the value of the homestead from two thousand five hundred dollars to fifteen thousand dollars; providing for an effective date for this act."	151, 279, 304, 330, 374, 613, 663, 665-SA, 706, 707, 729, 737, 849.
398	Introduced by Hall: A bill for an act entitled: "An act to amend Section 45-1106, R. C. M. 1947, relating to agister liens by providing that notice to prior lien holders shall be given within thirty (30) days after receiving the property; to amend Section 45-1108, R. C. M. 1947, by providing that the	

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	sale of personal property by an agister's lien may be made forty-five (45) days after failure to pay for the work, labor, feed, or services, or materials are furnished."	151, 300, 318, 335, 360, 396, 589.
399	Introduced by Gilfeather, Hall: A bill for an act entitled: "An act to amend Section 71-304 R. C. M. 1947, to provide that the state must pay for transportation of stranded transient families to their state of legal residence."	151, 306, 342, 372, 389, 409, 583.
400	Introduced by Sullivan, Lombardi, Crum: A bill for an act entitled: "An act amending Section 4-322, R. C. M. 1947, to prohibit the sale of draft beer by wholesalers, to any person other than an on-premises beer licensee; and providing an effective date."	151, 328, 344, 388, 406, 408.
401	Introduced by Ulmer, Sheehy: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 5, Article XVI of the Constitution of Montana deleting the provision forbidding a county treasurer to be eligible to his office for the succeeding term."	153, 321.
402	Introduced by Flynn, Schye: A bill for an act entitled: "An act to amend Section 82-3318, R. C. M. 1947, to provide for the appointment of a three-member advisory council consisting of a licensed architect, a licensed general building contractor, and a consulting engineer to assist and advise the State Controller; providing for regular meetings of such council; providing for per diem and travel expenses for the members of such advisory council; and containing a repealing clause."	153, 268, 298, 326, 331, 355, 629, 667, 677-SA, 706, 707, 729, 737.
403	Introduced by Johnson, Gilligan: A bill for an act entitled: "An act establishing a license tax on water conducted out of the county of its source and used in another county in the smelting, refining or reduction of mineral ores; providing for annual reports from persons, firms, corporations or associations so conducting water for such use, verification and compilation thereof by county assessors; providing for a hearing before the board of county commissioners; and providing for collections and distribution of moneys."	153, 382.
404	Introduced by Johnson, Gunderson, Tracy, Harper: A bill for an act entitled: "An act providing for the election of Fish and Game Commissioners, one from each of five commissioner districts, on a nonpartisan basis; amending Sections 26-101, 26-	

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	102, 23-1111, 23-1812, 23-1608, 23-2006 through 23-2012, R. C. M. 1947."	153, 154, 261, 282, 476.
405	Introduced by Swanz, Mather, Judge, McNamara, Pierce: A bill for an act entitled: "An act to amend Section 66-1315 R. C. M. 1947, to specify procedures to be followed when prosecuting a violation of the act regulating the practice of optometry."	153, 154, 364, 394, 434, 447, 448, 451, 613, 663, 666-SA, 706, 707, 729, 737.
406	Introduced by Tracy, Lombardi, Shugrue, Healy: A bill for an act entitled: "An act to amend Section 26-202.1, R. C. M. 1947, by setting the fee for nonresident big game licenses at two hundred dollars (\$200.00)."	153, 154, 476.
407	Introduced by Tracy, Johnson, Twedt, Atkins, Lombardi, Shugrue: A bill for an act entitled: "An act relating to payments to silicotics; amending Sections 71-1003, 71-1004, and 71-1008, all Revised Codes of Montana, 1947, as amended; repealing all acts and parts of acts in conflict herewith."	153, 154, 363, 410, 453, 465, 613, 663, 667, 701, 710, 711, 713, 760, 770, 775, 849.
408	Introduced by Cerovski: A bill for an act entitled: "An act to amend Section 77-1304 of the Revised Codes of Montana, 1947, Replacement Volume 5, relating to the State Civil Defense Agency and the annual salary of the director; containing a repealing clause."	154, 306.
409	Introduced by Flynn, by request: A bill for an act entitled: "An act providing for the dissolution of weed control and weed seed extermination districts, and amending Section 16-1723, R. C. M. 1947."	154, 214, 233, 254, 260, 275, 494, 504, 505, 507, 566.
410	Introduced by Flynn, by request: A bill for an act entitled: "An act providing for an embargo against the importation of grain, hay, straw, plants, seeds, tubers, nursery stock or fruit or other material containing noxious weed seeds into the state; and amending Section 16-1708, R. C. M. 1947."	154, 261.
411	Introduced by Harper, Tracy, O'Hair, Lombardi: A bill for an act entitled: "An act providing for the election of members of the State Fish and Game Commission; and amending Sections 26-101, 26-102, and 26-103, R. C. M. 1947."	154, 261.

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412	<p>Introduced by Tracy, Slaby, O'Leary, Gilligan, Lombardi, Harper: A bill for an act entitled: "An act creating a Department of Motor Vehicles; providing for appointment of a director, specifying term of office and giving of bond; investing the department with power to administer and enforce the Montana Highway Use Act; specifying the powers of the director and the limitations thereon; providing for the appointment of a hearing board by the director with the approval of the Highway Commission; providing for the promulgation of rules and regulations by the director with the approval of the Highway Commission; providing that the director shall study the operation and administration of the Montana Highway Patrol, the Montana Highway Patrol Board, the Registrar of Motor Vehicles, the State Reciprocity Board, the functions of the State Highway Commission relating to collection of fees, the function of the State Board of Equalization relating to the collection of fuel taxes and refunds thereof and report on such study; requiring the cooperation of other state boards and offices; repealing all acts and parts of acts inconsistent and providing an effective date."</p>	154, 435.
413	<p>Introduced by Tracy, Slaby, O'Leary, Gilligan, Lombardi, Harper: A bill for an act entitled: "An act imposing taxes in consideration of the use of the public highways of Montana by motor vehicles; defining the terms person, motor vehicle, commission, farm vehicle and logging vehicle; making it unlawful to use the public highways of the state without first securing a use permit; providing rate schedules; providing for special mobile equipment; providing the method for obtaining a use permit; providing the dates upon which the taxes imposed are due, and the place of payment; granting to the State Highway Commission power to issue temporary use permits; providing the method of making returns; fixing liability for taxes upon the carrier and owner; providing certain exceptions in the case of special kinds of trailing units, for persons entitled to reciprocity for operators of certain interstate fleets; providing for trip permit; giving the State Highway Commission power to determine the tax due; providing for hearings in the commission; providing an exclusive method for the judicial review of decisions of the commission; providing procedures for the collection of taxes due and vesting power in the commission to issue certificates which when filed have the status of judgments of the district courts; providing for liens on motor vehicles for unpaid taxes and providing the method of foreclosure of such liens and the priority thereof; providing for the revocation of registrations of motor vehicles for non-payment of taxes; providing the method of serving notices and process and for the appointment of the Secretary of State as an agent</p>	

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	upon whom notice or process may be served; providing for interest and penalties, both civil and criminal, for violations of the act and rules enacted pursuant thereto; giving Justice and District Courts concurrent jurisdiction of misdemeanors committed under the act; providing that violations of the act are in part committed in Helena; providing for the prosecution of violations by the Attorney General and the County Attorneys; providing for refunds; giving the State Highway Commission powers to administer and enforce the act, require security for the payment of taxes due or to be due, to make rules for its own procedures, to designate ports of entry, to appoint deputies, to generally make rules for the enforcement and administration of the act; providing for the disposition of revenues received under the act; providing for severability; regulating the transfer of use permits; limiting municipal taxation of motor vehicles; providing short title; repealing certain acts and parts of acts and saving the penalties under repealed acts; providing for an effective date."	155, 435.
414	Introduced by Swanz, Willits, Zimmer, MacCalman: A bill for an act entitled: "An act to regulate establishments providing transient lodging space and/or accommodations; defining terms; providing for licensure and license fee; and providing procedure for cancellation or denial of license; empowering State Board of Health of Montana to make and enforce all necessary regulations including sanitary standards for such establishments; providing for public hearing on rules and regulations; and, to establish cooperative agreements with other Montana agencies; providing for inspections and report of inspection; empowering State Board of Health of Montana to issue subpoenas; prescribing penalties; providing for fee required by this act to supersede other fees for same purpose; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and repealing Sections 34-201, 34-202 34-203, 34-204, 34-205, 34-206, 34-207, 34-208, 34-209, 34-210, 34-211, 34-212, 34-213, 34-214, 34-215, 34-216, 34-217, Revised Codes of Montana, 1947, as amended or supplemented, and establishing effective date."	155, 411.
415	Introduced by Sheehy: A bill for an act entitled: "An act to amend Section 84-202 R. C. M. 1947, to provide exemption from taxation for non-profit institutions providing care for the aged or chronically ill."	156.
416	Introduced by Sheehy: A bill for an act entitled: "An act to amend Section 60-135, R. C. M. 1947, relating to court review of orders of the Oil and Gas Conservation Commission of the State of Montana, manner and conduct of trial, temporary	

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	restraining order, when allowed, bond and appeals; amending sub-section A of said section relative to trials before district courts by elimination therefrom of de novo provision; repealing all acts and parts of acts in conflict herewith."	156, 300, 342, 360, 387, 399, 589.
417	Introduced by Sheehy: A bill for an act entitled: "An act to amend Section 11-3827, R. C. M. 1947, to authorize cities, counties and city-county planning boards to accept, receive, take, hold, own, and possess any gift, donation, grant, devise or bequest, or any property, real, personal, or mixed, or any improved or unimproved park or playground, and utilize, hold or dispose of the same for planning purposes not inconsistent with the provisions of Title 11, Ch. 38, R. C. M. 1947."	156, 298, 329, 359, 387, 398, 582, 607, 608, 611, 661, 792.
418	Introduced by Sheehy: A bill for an act entitled: "An act to amend Section 11-3830, Revised Codes of Montana, 1947, so as to increase the jurisdictional area of the city-county planning board from four and one-half (4½) miles to twelve (12) miles beyond the limits of any city within the jurisdictional area."	156, 298, 317, 335, 344, 375, 614.
419	Introduced by Sheehy: A bill for an act entitled: "An act to authorize duly constituted city-county planning board to conduct specific planning projects outside the jurisdictional area of said planning board, if requested by the board of county commissioners, and to construe said power broadly so as to enable the county to qualify under the provisions of and regulations governing any planning assistance program administered by an agency of the United States of America or the State of Montana."	156, 298, 329, 359, 387, 397, 582, 607, 608, 611, 762.
420	Introduced by Sheehy: A bill for an act entitled: "An act to require insurance contracts covering Montana groups to conform to Montana group life law; providing that Montana law governs policies payable to Montana residents; and providing for an effective date and a repealing clause."	156, 278, 304, 329, 349, 476.
421	Introduced by Sheehy, O'Leary, Gerke: A bill for an act entitled: "An act to provide state competitive scholarships in higher education for persons of undergraduate status, based on scholastic aptitude and financial need, to be used in collegiate institutions in this state; providing for a title of this act and stating its intent and purpose; creating 'Regents' competitive scholarships; providing that there shall be no discrimination with respect to awarding such scholarships; prescribing the	

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	<p>qualifications of scholarship award winners; providing for county scholarships and scholarships at large, and procedures when county scholarships are not awarded; stating the institutions eligible for the use of such scholarships; providing for the amount and duration of such scholarships, and the renewal thereof; providing for annual competitive examinations to determine scholarship award winners; creating a 'Regents' competitive scholarship advisory commission and providing for the appointment thereof; establishing the duties and terms of office of the members of the Regents competitive scholarship advisory commission; providing for the administration of this act by the State Board of Regents; providing that the Board of Regents may adopt rules and regulations not in conflict with this act; providing for the constitutionality of the remainder of the act if any portion of this act is found unconstitutional; and providing an effective date."</p>	<p>156, 345, 389, 416, 453, 454, 462, 470, 644.</p>
422	<p>Introduced by Sheehy, Felt: A bill for an act entitled: "The Montana Primary Election Law of 1965, providing for designation of candidates for political office by party assembly and by petition; for Primary Elections; for registration of electors by party affiliation; amending Sections 23-904, 23-917, and 23-918; repealing Sections 23-801 to 23-820 inclusive; 23-902, 23-903, 23-909 to 23-916 inclusive; 23-919, 23-920, 23-929, 23-932; and 23-1001 to 23-1008 inclusive, R. C. M. 1947; providing for an effective date; and repealing all acts and parts of acts in conflict herewith."</p>	<p>157, 476.</p>
423	<p>Introduced by Cerovski, Loman: A bill for an act entitled: "An act to amend Section 66-2209 of the Revised Codes of Montana of 1947, as amended by Chapter 90 of the Laws of 1955, relating to the definition of veterinary medicine, by including in such definition the performance of procedure for diagnosis of pregnancy, sterility or infertility upon livestock for remuneration."</p>	<p>157, 346, 363, 408, 425, 428, 582, 596, 602-SA, 625, 627, 640, 648, 762.</p>
424	<p>Introduced by Cerovski, Delano: A bill for an act entitled: "An act to prevent discrimination and unfair competition in buying and selling dairy products by making it unlawful for wholesalers, processors, and distributors of dairy products to furnish, give, rent, lease, sell or lend to retail dealers or consumers any money, equipment, fixtures, supplies or other things of value; providing penalties; providing for injunctive relief; and providing an effective date."</p>	<p>157, 261.</p>

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425	Introduced by Cerovski, Raundal, Laas, Lewis: A bill for an act entitled: "An act to restore to the State Board of Examiners its constitutional powers and duties and to restore certain powers and duties relating to the supervision and control of state expenditures, by amending Sections 82-1902 to 82-1906, inclusive, 82-1909, 82-1919, 79-602 and 3-107 of the Revised Codes of Montana; reinstating powers and duties of said Board of Examiners relating to examination of books, publication of financial statements, purchase of supplies, bidding on and awarding of state contracts, employment of clerical help, and prohibiting contracts and compensation to employees in excess of appropriation; repealing all acts and parts of acts in conflict herewith; and providing this act shall be in effect upon passage and approval."	157, 347.
426	Introduced by Cerovski, Raundal, Lewis, Lass: A bill for an act entitled: "An act to amend Section 82-3302 of the Revised Codes of Montana of 1947 (Chapter 271 of the Laws of Montana, 1963), relating to the Department of Administration, by providing the department and the State Controller shall be subject to the direction and supervision of the Board of Examiners; repealing all acts and parts of acts in conflict herewith; providing this act shall be effective upon passage and approval."	157, 347.
427	Introduced by Watt, Cregg, Smiley: A bill for an act entitled: "An act to amend Section 75-1813. R. C. M. 1947, relating to the creation of school districts by consolidation and annexation of existing school districts."	157, 266, 317, 335, 359, 387, 397, 613, 663, 665-SA, 706, 707, 729, 737.
428	Introduced by Watt, Scherf, Meccage: A bill for an act entitled: "An act to provide for the development of financial schedules relating to the educational programs required by the state for elementary and secondary schools; providing for duties of the Superintendent of Public Instruction; and appropriating moneys for the purposes of this act."	157, 327.
429	Introduced by McDonald, Casey, Delano, Bollinger Willits, Selstad: A bill for an act entitled: "An act relating to special improvement districts in cities and towns; and amending Section 11-2202. R. C. M. 1947, to permit improvement districts for building and constructing municipal swimming pools and other recreation facilities."	157, 301, 329, 359, 387, 398, 614, 652, 653, 668, 669.
430	Introduced by Mather, Gilligan: A bill for an act entitled: "An act to provide that sheriffs and	

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	their deputies may issue citations for traffic offenses; to provide for a penalty for failure to appear; and to provide an effective date."	158, 244, 272, 293, 298, 311, 615, 629, 638, 662.
431	Introduced by McNamara: A bill for an act entitled: "An act amending Section 91-4406, R. C. M. 1947 to increase the insurance exemption of an estate."	158, 245.
432	Introduced by Johnson, Tracy, Lombardi, Gilligan, Slaby: A bill for an act entitled: "An act to amend Section 87-103 R. C. M. 1947, relating to benefits payable to unemployed persons under the Montana Unemployment Compensation Law; increasing the maximum weekly benefits from the thirty-four dollars (\$34.00) per week to forty-four dollars (\$44.00) and increasing the minimum qualifying wage from twelve hundred eighty-two dollars and fifty cents (\$1,282.50) to seventeen hundred thirty-two dollars and fifty cents (\$1,732.50); providing for an effective date."	158, 476.
433	Introduced by Raundal, Hanks, Eklund, Lund: A bill for an act entitled: "An act to amend Section 53-615, R. C. M. 1947, to provide that trucks, trailers and semi-trailers owned by contractors engaged principally in soil conservation work and land leveling activities resulting in direct benefit to agriculture be included in the list of vehicles to pay gross vehicle weight fees at a rate of 20% of the fees provided in schedules I and II of said section, and containing a repealing clause."	158, 434, 456, 462, 471, 614, 639, 668, 669, 775.
434	Introduced by Smiley, Dye, Felt, Stranahan, Selstad, Tracy: A bill for an act entitled: "An act establishing a position of criminal investigator; providing an appropriation; and amending Section 82-401, R. C. M. 1947."	158, 203, 233, 253, 708, 758, 768, 770, 783, 793, 819, 823, 849.
435	Introduced by Lucas, Gilfeather: A bill for an act entitled: "An act to abolish the lien for those installments of special improvement district assessments on all lands heretofore sold by counties which accrued after the counties acquired title to such lands, and before the counties sold such lands; and providing for an effective date."	158, 392, 412, 453, 454, 467, 615.
436	Introduced by McNamer, Mather: A bill for an act entitled: "An act to amend Section 86-511, R. C. M. 1947, relating to the compensation of trustees	

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	and providing for reasonable compensation under the circumstances."	158, 300, 329, 387, 397, 544, 550, 551, 565, 628.
437	Introduced by McNamer, Mather: A bill for an act entitled: "An act to amend Section 67-1912, R. C. M. 1947, relating to the payment of trustees' annual compensation out of income and trustees' final termination commissions out of principal."	158, 300, 318, 335, 344, 376, 555, 572, 585, 661.
438	Introduced by McNamer, Mather: A bill for an act entitled: "An act relating to the retention by trustees of securities and other property received into the trust."	158, 301, 317, 335, 344, 375, 545, 550, 551, 565, 566, 628.
439	Introduced by Christiansen, Zimmer, Nefzger, Aasheim: A bill for an act entitled: "An act requiring electric signals at all points where railroad lines cross state highways; amending Section 72-164, R. C. M. 1947."	158, 391.
440	Introduced by Felt: A bill for an act entitled: "An act to amend Section 84-5402 R. C. M. 1947, relating to net proceeds tax on metal mines; eliminating substance of statement submitted to the State Board of Equalization and leaving the substance of such statement to the board's discretion; amending Section 84-5403, R. C. M. 1947, relating to computation of net proceeds by changing the definitions of the terms "gross product" and "net proceeds" and by eliminating certain deductions previously allowed and granting the State Board of Equalization's power to require submission of information."	158, 213, 216, 230, 382, 434, 447, 453.
441	Introduced by Zimmer, Swanz, Healy, Christiansen, Rygg: A bill for an act entitled: "An act to amend Section 4-333, R. C. M. 1947, as amended by Chapter 205, Laws of 1959, relating to the issuance of retail beer licenses, limiting the number of off-premises beer licenses, lapse and cancellation of the same; defining the terms hotel, motel and lodge; providing for limited retail beer licenses to hotels, motels, and lodges; repealing all acts and parts of acts in conflict herewith: and providing an effective date."	159, 299.
442	Introduced by Zimmer, Swanz, Healy, Christiansen, Rygg: A bill for an act entitled: "An act to amend Section 4-403, R. C. M. 1947, as amended by Chapter 217, Laws of 1963, relating to the issuance of retail liquor licenses; defining the terms hotel, motel and lodge; providing for limited retail liquor licenses to hotels, motels and lodges; repealing all	

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	acts and parts of acts in conflict herewith; and providing an effective date."	159, 299.
443	Introduced by Gilfeather, Willits, Slaby, Johnson, Gilligan: A bill for an act entitled: "An act relating to the competent and safe repair of highway operated vehicles; creating a regulatory board; prescribing powers and duties, requiring the certification of mechanics and the registration and bonding of service dealers; establishing competent and safe repair standards and practices; and providing penalties."	159, 277.
444	Introduced by Bardanouve, Harper, Egan: A bill for an act entitled: "An act concerning the percentage of compensation which may be expended for election campaigns; and amending Sections 94-1427 and 94-1428, R. C. M. 1947."	159, 235.
445	Introduced by Bardanouve: A bill for an act entitled: "An act providing that a person may not be elected or appointed to the office of Senator or Representative in Congress who has not resided in the state at least one year prior to his election or appointment."	159, 320, 344, 387, 401, 422, 567, 581, 585, 589, 701.
446	Introduced by Schye: A bill for an act entitled: "An act to amend Section 93-9914, R. C. M. 1947 to provide three (3) days for filing commissioners' report."	159, 390, 566.
447	Introduced by Gilfeather, Scherf, Flynn, Watt, Aasheim, Gill, Stranahan: A bill for an act entitled: "An act amending Section 84-1501, R. C. M. 1947, to provide that the corporation license tax shall be five and one-half per centum (5½%) of all net income, provided, however, that as to all taxable periods ending on or after December 31, 1967, the percentage of net income to be paid shall be four and one-half per centum (4½%)."	159, 364, 410, 426, 442, 444, 448, 788, 789, 797, 798, 800-SA, 819, 829, 849.
448	Introduced by Gilfeather, Watt, Flynn, Aasheim, Gill, Johnson, Stranahan: A bill for an act entitled: "An act to provide for a surtax upon the net income of all taxpayers, as defined in Section 84-4901, R. C. M. 1947, for all taxable periods commencing on or after December 31, 1964 to and including all taxable periods ending on or before December 30, 1967."	159, 365, 394, 426, 442, 444, 448, 794, 798, 804, 805, 816, 824, 825, 830, 831, 834, 836, 840, 841, 843, 846, 847, 848, 851, 852.

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449	Introduced by Healy, Pierce, Gilligan: A bill for an act entitled: "An act to amend Section 5-1028, R. C. M. 1947, preventing branch banking and exceptions with respect thereto and providing for armored car and messenger service by banks, and defining terms."	159, 270, 286, 308, 318, 339, 411, 425, 426, 515.
450	Introduced by Healy, Lombardi, Tracy: A bill for an act entitled: "An act amending Section 11-3810, Revised Codes of Montana, 1947, providing for city-county planning boards, the members and terms of office thereof; providing for two official and two citizen members to be appointed by the board of county commissioners, and two official and two citizen members to be appointed by the city council; providing that official members may be employees or office holders of political subdivisions appointing them; providing for permissive residence requirements; providing for the terms of office of both official and citizen members; providing the effective date hereof; and providing for the repeal of all acts in conflict herewith."	160, 307, 344, 388, 401, 419, 582, 596, 603-SA, 625, 626, 627, 640, 643, 762.
451	Introduced by Healy, Pierce, Lombardi, Shugrue, Crum: A bill for an act entitled: "An act to amend Section 4-140 of the Revised Codes of Montana, 1947, relating to the application of the State Liquor Control Act of Montana to provide that the manufacture, distillation, rectification, bottling or processing of liquor as these terms are defined under the provisions of the laws of the United States, shall be authorized and permitted by any brewer, distiller, rectifier or other person duly licensed under any provision of any statute of the United States of America in a place and in the manner authorized by or under any such statute, provided the Montana State Liquor Control Board may make such regulations as it may deem necessary with regard thereto not inconsistent with this act or with the statutes of the United States or federal regulations issued pursuant thereto."	160, 270, 317, 335, 344, 376, 545, 550, 551, 566, 628.
452	Introduced by Stranahan, Meccage, Selstad: A bill for an act entitled: "An act to provide for distinctive license plates for motor vehicles owned by active members of the Montana National Guard."	160, 390, 423, 455, 462, 469, 567, 580, 581, 585, 589, 661.
453	Introduced by Watt, Cregg: A bill for an act entitled: "An act concerning the establishment and	

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	duties of city street commissioners in certain cities."	160, 299, 342, 371, 388, 393.
454	Introduced by Watt, Cregg: A bill for an act entitled: "An act concerning the share of motor vehicle fees certain cities are to receive; amending Section 53-122, R. C. M. 1947."	160, 232, 300, 344, 371, 388.
455	Introduced by Watt, Cregg: A bill for an act entitled: "An act allowing certain cities and counties to levy a motor vehicle use tax."	160, 232, 298, 329, 349, 371, 388.
456	Introduced by Watt, Cregg: A bill for an act entitled: "An act allowing certain cities and counties to levy a license tax on gasoline and motor fuel."	160, 232, 298.
457	Introduced by Bailey, Delano: A bill for an act entitled: "An act to amend Section 26-215, R. C. M. 1947, of the fish and game law authorizing the State Fish and Game Commission to promulgate and enforce rules and regulations governing the hunting of non-game animals in the interest of public safety and protection of property."	160, 367, 394, 447, 454, 463, 515, 543, 544, 554, 556, 566.
458	Introduced by Sheehy, Nichols, Felt: A bill for an act entitled: "An act appropriating the sum of thirteen thousand nine hundred fifteen and 65/100 dollars (\$13,915.65) to pay the claim of Walter E. Jenkins, the father and legal guardian of the estate and person of Judith Ann Jenkins, a minor; the claim was heard and unanimously approved and allowed by the State Board of Examiners; the claim is for injuries received by the minor child, Judith Ann Jenkins, to her right eye and nose as a direct result of the negligence of the Montana National Guard in causing an explosive device to be detonated during the course of a parade at Wibaux, County of Wibaux, Montana, on the 4th day of July, 1961."	160, 782, 792, 798, 803, 806, 847, 848, 852.
459	Introduced by Hall: A bill for an act entitled: "An act to amend Section 23-505, R. C. M. 1947, by providing for designation of precinct committeemen and committeewomen as deputy registrars in the precincts in which they reside, and providing for compensation and duties for such deputy registrars."	161, 319, 344, 388, 401, 420, 561.
460	Introduced by Hall: A bill for an act entitled: "An act to amend Section 11-1829, Revised Codes of Montana, 1947, Replacement Volume 1, relating	

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	to the investment of funds held by the board of trustees for the retirement of policemen to provide authority to deposit the funds in savings and loan associations in addition to the bonds of the United States, State of Montana, or city or town and providing a repealing clause."	161, 298.
461	Introduced by Hall: A bill for an act entitled: "An act to amend Section 45-502, Revised Codes of Montana, 1947, to provide that notice of intention to file a mechanics lien or a copy of a filed mechanics lien may be served upon an owner, that failure to serve does not affect the validity of the lien but that prior to such service the owner is protected to the extent of any payment made in good faith to any contractor or other creditor thereon and providing a method for service upon the owner."	161, 395, 435, 461.
462	Introduced by Hall: A bill for an act entitled: "An act to amend Section 73-201, Revised Codes of Montana, 1947, relating to constructive notice of conveyances of real property so as to provide for constructive notice of conveyances of real property executed and recorded prior to acquiring an interest in such real property, and providing a repealing clause."	161, 363, 410, 454, 462, 615.
463	Introduced by Hall, Gunderson: A bill for an act entitled: "An act to amend Section 91-3519, Revised Codes of Montana, 1947, Replacement Volume 6, relating to moneys in the hands of executors or administrators of estates to provide authority to deposit the money in savings and loan associations in addition to loaning the money with the approval of the court and providing a repealing clause."	161, 322.
464	Introduced by Rygg, Zimmer: A bill for an act entitled: "An act voiding certain beneficial devises, legacies and gifts made in a will by a patient or inmate of a public institution to a person employed at the institution at the time of the execution of the will."	161, 322.
465	Introduced by Willits, Gill: A bill for an act entitled: "An act providing for an annual two dollar fee on passenger automobiles to be divided among incorporated cities and towns to be used for streets and alleys."	161, 214.
466	Introduced by Hall, Gilfeather: A bill for an act entitled: "An act providing that children of unemployed fathers living in the home of such father, or children living in the home of a head of a household, and who are otherwise entitled to aid to dependent children, shall be entitled to such aid, and providing a repealing clause."	161, 476.

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467	Introduced by Hall, Gilfeather: A bill for an act entitled: "An act authorizing and directing the Department of Public Welfare of the State of Montana to participate in all federal public assistance programs in which matching funds from the State of Montana are not required, to participate in all federal assistance programs in which matching funds are required to the extent such matching funds are appropriated by the Legislative Assembly; and requiring the Department of Public Welfare to report to the Legislative Assembly on the availability and utilization of such programs."	161, 390, 412, 453, 454, 467.
468	Introduced by Hall, Gilfeather: A bill for an act entitled: "An act amending Section 71-314, Revised Codes of Montana, 1947, as amended, providing for grants of general relief assistance."	162, 260, 286, 308, 344, 373, 615.
469	Introduced by Bardanouve, Harper: A bill for an act entitled: "An act amending Section 69-512 R. C. M. 1947, to require local registrars to send copies of death certificates to certain county clerk and recorders in certain cases."	162, 390, 423, 455, 469, 613, 663, 664-SA, 706, 707, 729, 737.
470	Introduced by Raundal, Jenkins: A bill for an act entitled: "An act allowing certain trustees to serve for one (1), two (2), or three (3) year terms; and amending Section 14-509, R. C. M. 1947."	162, 304, 354, 406, 425, 428, 648, 652, 653, 668, 669.
471	Introduced by Twedt by request: A bill for an act entitled: "An act to amend subsections (a) through (f) of Section 68-901, R. C. M. 1947, which provide for the service retirement allowance of members of the public employees' retirement system; by providing that members of the system may retire and receive their full pensions at age sixty (60), rather than sixty-five (65) years."	162, 203, 206, 209, 349.
472	Introduced by Gilligan, Tracy, O'Leary, Slaby: A bill for an act entitled: "An act concerning a winter work program."	162, 206, 279, 317, 335, 344, 375, 545, 550, 551, 565, 566, 628.
473	Introduced by Tooke, Slaby, Hall: A bill for an act entitled: "An act allowing cities and towns to tax certain motor vehicles and motor vehicle bodies; and amending Section 11-918, R. C. M. 1947."	162, 240, 272, 293, 298, 312, 582, 607, 608, 611, 762.

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474	Introduced by Cerovski: A bill for an act entitled: "An act to amend Sections 87-103, 87-104, and 87-109, R. C. M. 1947, of the Unemployment Compensation Law; providing for an increase in benefit schedules, deleting surplus and obsolete provisions, making certain disqualifications monetary in nature, increasing wages on which contributions shall be paid to \$3,600.00, providing an increased contribution rate for employers with excessive charge backs, and providing an effective date." ..	162, 436, 437, 452, 462, 474, 487, 488.
475	Introduced by Harper, Christiansen: A bill for an act entitled: "A bill to require competitive bidding before awarding of contracts by the state, counties, cities, school districts, and political subdivisions for architectural services, and repealing Sections 66-114 and 66-115 of the Revised Codes of Montana of 1947."	162, 268.
476	Introduced by Boughton: A bill for an act entitled: "An act providing for payments by the State Fish and Game Commission to private land owners on whose land deer, elk or antelope graze."	162, 361.
477	Introduced by Flynn, Schye, Eskildsen: A bill for an act entitled: "An act relating to the time schedule for payments to contracting architects; and amending Section 66-1155, R. C. M. 1947."	162, 268, 304, 330, 344, 373, 629, 667, 677-SA, 706, 707, 729, 737.
478	Introduced by Bardanouve: A bill for an act entitled: "An act to provide for removal of abandoned vehicles from highways and for the disposal of abandoned vehicles which are unclaimed."	162, 391, 412, 453, 456, 461, 462.
479	Introduced by Bardanouve, Eskildsen, Nefzger, Slaby: A bill for an act entitled: "An act relating to construction and maintenance of certain streets and highways in or near incorporated municipalities."	163, 391, 434, 455, 462, 472, 583, 590, 648, 652, 653, 668, 669.
480	Introduced by Tracy: A bill for an act entitled: "An act amending Section 47-125, R. C. M. 1947, relating to the maximum allowable rate of interest on loans of money, to define what shall be considered interest."	163, 322, 344, 401, 419, 515.
481	Introduced by Tracy: A bill for an act entitled: "An act to require lenders to inform borrowers of the true finance charge on all loans of money."	163, 319.
482	Introduced by Stranahan, Schye, Sullivan: A bill for an act entitled: "An act to amend Section 4-	

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	170, R. C. M. 1947, by deleting therefrom provisions preventing the canvassing or soliciting of orders for the purchase or sale of liquor by agents representatives or intermediaries of distillers or distributors; providing for sales promotion by distiller's or distributor's agents, representatives or intermediaries, license and fee therefor; prohibiting political contributions by such agents, representatives or intermediaries; and providing a penalty therefor."	163, 305, 354, 407, 408, 425, 430, 488.
483	Introduced by Harper: A bill for an act entitled: "An act requiring that junked motor vehicles used to reinforce river banks be filled with rocks and connected with a steel cable securely anchored to another object."	163, 318, 342, 371, 372, 389, 410, 594.
484	Introduced by Tracy, Sullivan: A bill for an act entitled: "An act requiring the lessee of restaurants, bars or taverns to file payroll bonds for the protection of employees of lessees where the equipment, appliances, and other accessories necessary for the conduct of business therein at the place of business are owned by the lessor."	163, 345, 389, 434, 447, 448, 452, 567, 584, 585, 591, 594, 743.
485	Introduced by Schye: A bill for an act entitled: "An act requiring the Highway Commission to set aside approximately fifteen percent of the money expended for construction and reconstruction of highways for small business."	163, 319, 388, 401, 420, 583.
486	Introduced by Stranahan, Schye: A bill for an act entitled: "An act relating to incorporation of communals, communal societies or communal association and prescribing the purposes, duties and requirements thereof."	163, 306.
487	Introduced by Schye, Eskildsen, Flynn: A bill for an act entitled: "An act relating to subcontractors' names being submitted with bids; requiring subcontractors to furnish prime contractors with performance bonds; amending Sections 6-501 and 82-1133, R. C. M. 1947."	163, 319.
488	Introduced by Felt: A bill for an act entitled: "An act relating to disqualifications for and forfeiture of benefits; and amending Section 87-106, R. C. M. 1947."	163, 318.
489	Introduced by Flynn, Schepens, Garrison, Williams: A bill for an act entitled: "An act establishing a horse racing commission and defining its powers	

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	and duties, repealing Section 94-2425, R. C. M. 1947; providing for an effective date."	163, 331, 389, 416, 435, 439, 582, 596, 603-SA, 626, 627, 640, 643, 648, 775.
490	Introduced by Flynn, Cregg: A bill for an act entitled: "An act amending Sections 11-504 and 11-505, R. C. M. 1947, to provide for tax liability of certain territory excluded from cities and towns."	164, 365, 410, 447, 453.
491	Introduced by Flynn, Cregg: A bill for an act entitled: "An act to amend Sections 11-403 and 11-509, R. C. M. 1947, by removing certain exemptions from annexation of land by certain municipalities."	164, 366, 410, 453.
492	Introduced by Lucas, Ulmer: A bill for an act entitled: "An act appropriating money for the purchase and remodeling of the Veterans' Administration Hospital at Miles City, Montana."	164, 818.
493	Introduced by Schepens: A bill for an act entitled: "An act to amend Section 75-4409, R. C. M. 1947, by authorizing governing boards to charge different tuitions and to amend Section 75-4412, R. C. M. 1947, relating to the qualifications of dean and instructors of a junior college."	164, 392, 412, 453, 454, 466, 644.
494	Introduced by Harper: A bill for an act entitled: "An act to provide that public roads shall be open to the public; declaration and policy; protection of private property rights, providing marking of public roads."	164, 331.
495	Introduced by Mather: A bill for an act entitled: "An act providing for formation and control of joint high school districts in adjacent counties, and, providing procedures for creation thereof by districts or parts of districts."	164, 392, 435, 455, 462, 469, 629, 667, 677-SA, 706, 707, 729, 737.
496	Introduced by Cerovski: A bill for an act entitled: "A bill creating an absentee ballot election board for the purpose of counting absentee ballots and reporting the results to the county clerk."	164, 367, 368, 435, 455, 462, 472, 561.
497	Introduced by Obstarczyk, Atkins, Tracy, Lombardi: A bill for an act entitled: "An act abolishing the state liquor monopoly; providing for licenses for wholesale import and sale of liquor; abolishing individual permits; and changing the state excise tax rate; amending Sections 4-102, 4-107, 4-108, 4-122, 4-134 through 4-139, 4-141, 4-150, 4-151, 4-158, 4-160, 4-169, 4-201, 4-202, 4-211, 4-228, 4-	

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	229, 4-234, 4-240, 4-402, 4-414, 4-417, 4-435, 4-501, and 4-502, R. C. M. 1947, and repealing Sections 4-114 through 4-121, 4-123 through 4-132, 4-152, 4-157, 4-159, 4-162, 4-164, 4-166, 4-168, 4-170, 4-232, 4-235, 4-416, 4-418, 4-419, and 4-421, R. C. M. 1947."	164, 365, 371, 412, 454, 462.
498	Introduced by Stranahan: A bill for an act entitled: "An act to amend Section 4-349, R. C. M. 1947, relating to forbidding brewers to furnish property, except of limited value, to retail licensees, or to be financially interested in the conduct or operation of the business of retail licensees; permitting advertising with restrictions; increasing the period for extension of credit by a brewer or wholesaler to a retail licensee; and providing an effective date."	164, 411.
499	Introduced by Schye, Judge: A bill for an act entitled: "An act to amend Section 59-1102.1, R. C. M. 1947, relating to social security coverage of state and local employees, to provide that the state may deem a separate retirement system with respect to any one or more political subdivisions of the state for purposes of a referendum and coverage."	164, 180.
500	Introduced by Schye, Judge: A bill for an act entitled: "An act to amend Section 59-1109, R. C. M. 1947, relating to social security coverage of the staff and teachers of school districts to provide that the state may deem a separate retirement system with respect to any one or more school districts of the state for purposes of a referendum and coverage, and to provide the procedure for such referenda."	164, 180.
501	Introduced by Obstarczyk, Atkins, Schye, Gunderson, Gilligan, Stranahan, O'Leary, Tracy, Eskildsen, Lombardi, Sullivan, Shugrue, Gerke, Willits, Hall: A bill for an act entitled: "An act relating to registration of liquor and wine brands or labels."	193, 365.
502	Introduced by Watt, Wayrynen, Chritiansen, Healy, Deschamps, Gunderson, Laas, Lewis, Cregg, Zimmer, Brenner, Bardanouve, Gill, Harper, Nefzger, Flynn, Johnson, Twedt, Gerke, Egan, Cummings, Raundal, Hanks, Sartz, Atkins, Schepens, Scherf, Cerovski, Obstarczyk, Stranahan, McDonald, Gilligan, McNamara, Eklund, O'Hair, Prevost: A bill for an act entitled: "An act providing revenue for the long range building program; providing for the issuance and sale of bonds; and amending Section 84-1901, R. C. M. 1947, to provide that 5% of the income tax be deposited in the long range building account of the bond proceeds and insurance clearance fund."	193, 365, 410, 426, 443, 456.

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503	Introduced by Wayrynen: A bill for an act entitled: "An act relating to registration fees on liquor and wine brands or labels; and placing a license fee on cases of liquor and wine."	193, 365, 394, 434, 444, 450.
504	Introduced by McNamara, O'Leary, Sheehy, Atkins: A bill for an act entitled: "An act amending Section 84-4907, R. C. M. 1947, relating to nonresident taxpayers personal income tax and deductions therefrom; providing for proration of exemptions; and providing an effective date."	197, 381, 412, 453, 454, 466, 563, 583, 764, 768, 769-SA, 777, 794, 849.
505	Introduced by Bardanouve, Prevost: A bill for an act entitled: "An act to provide funds for a program of medical assistance for the aged by amending Section 84-5608, Revised Codes of Montana, 1947, relating to a discount on purchase of cigarette tax insignia, by discontinuing said discount and earmarking a percentage of cigarette tax moneys for the support of a program of medical assistance for the aged."	198, 364, 365, 394, 434, 444, 450, 614.
506	Introduced by Ways and Means Committee: A bill for an act entitled: "An act providing for a non-resident contractors license fee."	198, 381, 410, 453, 464, 737, 758, 759-SA, 777, 794.
507	Introduced by Johnson, Watt, Cregg, Deschamps, Flynn, Lombardi, Healy, Tracy, Lewis, Shugrue, Gunderson, Holtz: A bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction for the support of the vocational education program for the biennium ending June 30, 1967."	198, 209, 817.
508	Introduced by O'Hair, Dye, Jensen, Meccage: A bill for an act entitled: "An act relating to taxation of certain oleomargarine."	198, 382.
509	Introduced by Tracy, Lombardi, Deschamps, Shugrue, Healy: A bill for an act entitled: "An act to provide an appropriation of moneys for the office of State Inspector of Mines."	198, 817.
510	Introduced by Watt, Cregg, Deschamps, Flynn, Gilfeather, Slaby, Schepens: A bill for an act entitled: "An act authorizing the collection of a service charge for handling certain funds; and amending Section 84-4902, R. C. M. 1947."	198, 365.
511	Introduced by Harper, Slaby, Gunderson, Nefzger, Lombardi, Schepens, Twedt: A bill for an act entitled: "An act to tax interest and dividends paid to nonresident individuals and corporations	

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	by certain persons; providing for withholding and payment of the State Board of Equalization of such tax; and providing for the manner of collection of such tax, the duties of withholding agents, the powers of the State Board of Equalization, and penalties for neglect or failure to comply with the provisions of this act."	198, 380.
512	Introduced by Watt, Cregg, Flynn: A bill for an act entitled: "An act providing revenue for the long range building program; providing for the issuance and sale of bonds; and amending Section 84-1901, R. C. M. 1947, to provide that 5% of the income tax and corporation license tax be deposited in the long range building account of the bond proceeds and insurance clearance fund."	198, 365, 410, 426, 442, 444, 449, 785, 786, 792, 797, 801, 803, 819, 829, 849.
513	Introduced by Wayrynen, Cerovski: A bill for an act entitled: "An act providing for a license fee to be paid by every person manufacturing an article which is sold or offered for sale in the state."	198, 380.
514	Introduced by Johnson, Slaby, Watt, Tracy, Lombardi, Shugrue, Gilligan, Healy, Harper and Twedt: A bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction and the Unemployment Compensation Commission, to enable the state to participate in the manpower development and training program, for the biennium ending June 30, 1967."	647, 668, 705, 729, 738, 777, 800, 801, 819, 823, 849.
515	Introduced by Crum, Schye, Selstad, Smiley: A bill for an act entitled: "An act relating to the apportionment, membership, terms and compensation of the Legislative Assembly; and repealing Sections 43-101 through 43-106, 43-203, 43-204, 43-210, and 43-311, R. C. M. 1947."	301, 702, 747, 748, 749.
516	Introduced by Crum, Schye, Selstad, Smiley: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Montana Constitution relating to the apportionment and sessions of the Legislative Assembly; providing that the Senate and House of Representatives of the Legislative Assembly shall each be apportioned on the basis of population; providing for annual sessions not to exceed 180 days; amending Sections 5 and 6, Article V, and Sections 2 and 3, Article VI; and repealing Sections 4 and 45, Article V, and Sections 4, 5 and 6, Article VI."	302, 702, 747, 748, 749.
517	Introduced by Wayrynen, Bashor: A bill for an act entitled: "An act creating an off-premises beer	

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	license account in the earmarked revenue fund, providing for an appropriation, and amending Section 4-333, R. C. M. 1947, concerning off-premise beer licenses."	302, 363, 389, 434, 443, 450, 629, 667, 668, 701, 755, 763, 764, 769, 788, 791, 792, 796, 812, 819, 823, 849.
518	Introduced by Judge, Gilfeather: A bill for an act entitled: "An act apportioning the Legislative Assembly."	475, 679, 702, 747, 749.
519	Introduced by Hall, Gilfeather, McDonald, Gilligan, Obstarczyk, Holtz, Willits: A bill for an act entitled: "An act authorizing cities, towns or counties to participate in flood control or flood prevention projects, to acquire property for such purpose, to accept federal aid for such purpose, providing for division of expenses in connection with such purpose, providing for assessments, permitting the cities, towns or counties to enter into certain contracts in pursuance of such purpose, authorizing the issuance of general obligation bonds for such purpose upon an election thereon, authorizing the State Highway Commission to coordinate such activities when two or more counties are involved and for that purpose appropriating to the State Highway Commission the sum of ten thousand dollars (\$10,000.00) from the General Fund of the State of Montana for the biennium commencing July 1, 1965, containing a repealing, and containing a savings clause."	508, 605, 621, 648, 651, 658, 660, 764, 768, 769-SA, 786, 794, 849.
520	Introduced by Schye: A bill for an act entitled: "An act to appropriate money to the State Highway Patrol for certain rewards."	516, 609, 620, 678, 680, 702, 774, 776, 779-SA, 819, 829, 849.
521	Introduced by Gunderson, Holtz, Hall: A bill for an act entitled: "An act apportioning the House of Representatives of the Legislative Assembly amending Section 16-518, R. C. M. 1947; and repealing Sections 43-103, 43-104, 43-105 and 43-106, R. C. M. 1947."	516, 702, 747, 750.
522	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the University of Montana, Montana State University, the Agricultural Experiment Station, the Co-operative Agricultural Extension Service, Montana College of Mineral Science and Technology, Western Montana College, Eastern Montana College, Northern Montana College, Western	

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	Interstate Commission for Higher Education, Office of Executive Secretary of Montana University System and the Board of Education for operation and capital for the biennium ending June 30, 1967."	535, 552, 568, 608, 609, 631, 648, 658, 785, 786, 792, 796, 802, 804, 805, 815, 816, 824, 836, 837, 838, 851, 852.
523	Introduced by Johnson, Fischer, Hall: A bill for an act entitled: "An act appropriating the sum of three hundred and sixty-six thousand dollars (\$366,000.00) to pay the claim of Bruce Blattner, which claim was heard by the State Board of Examiners on the 14th day of December, 1964, and which the said State Board of Examiners recommended to the Legislative Assembly for consideration and appropriate action for injuries received, to-wit: permanent and total paralysis of the lower extremities and permanent and almost total paralysis of the upper extremities for which claimant will require constant nursing and medical care including therapy, sustained in an automobile accident while returning from a college sponsored picnic attended by the residents of Morgan Hall, the mens dormitory of Northern Montana College which was a traditional and college sponsored function at Northern Montana College, and for which there was not furnished transportation for the claimant which resulted in the claimant being forced to ride in a private automobile, which overturned while returning on the gravel road from the picnic site, which resulted in said injuries; providing an effective date."	555, 818.
524	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain state agencies for the biennium ending June 30, 1967."	562, 574, 605, 631, 648, 658, 785, 786, 809, 822, 823, 839, 842, 851, 852.
525	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the Attorney General, State Auditor, Governor, Railroad and Public Service Commission, Secretary of State, Supreme Court, State Treasurer and Superintendent of Public Instruction for the operation and capital for the biennium ending June 30, 1967."	562, 587, 620, 648, 651, 658, 659, 785, 786, 792, 797, 819, 821, 823, 851, 852.
526	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money	

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	to certain state institutions for the biennium ending June 30, 1967."	568, 576, 605, 631, 648, 650, 658, 659 , 795, 786, 792, 797, 807, 824, 825, 829, 851, 852.
527	Introduced by Judge: A bill for an act entitled: "An act to appropriate money to the Department of Planning and Economic Development for the biennium ending June 30, 1967 to prepare a comprehensive economic development program."	572, 681.
528	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the support of public schools; reappropriating certain unexpended balances remaining on June 30, 1965; appropriating moneys for the foundation program and school transportation payments for the biennium ending June 30, 1967; and appropriating undistributed state equalization aid remaining on June 30, 1966 and on June 30, 1967 for per pupil payments to counties."	576, 586, 605, 631, 648, 650, 658, 659 , 797, 798, 805, 811, 814, 815-SA , 851, 852.
529	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain state agencies for the biennium ending June 30, 1967."	576, 587, 621, 648, 651, 658, 660 , 785, 786, 792, 797, 811, 812, 851, 852.
530	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain licensing and examining boards for the biennium ending June 30, 1967."	591, 592, 621, 648, 651, 658, 660 , 776, 779, 780, 794, 849.
531	Introduced by Schye: A bill for an act entitled: "An act to appropriate two thousand dollars (\$2,000.00) from the general fund to the select committee of the House of Representatives authorized by House Resolution No. 16 to study the Hutterite problem in Montana."	615, 818.
532	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys to the State Department of Public Welfare for old age assistance and medical assistance to the aged."	645, 653, 728, 742, 759, 783, 813 , 824, 828, 829, 834, 835.
533	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys	

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	for certain agencies and institutions of state government."	672, 681, 729, 758, 759, 761, 794, 798, 804, 805, 827, 829, 851, 852.
534	Introduced by Ulmer, Broeder, Eskildsen, Wayrynen: A bill for an act entitled: "An act to appropriate money to an interim committee of the House of Representatives for a study of the administration and operation of the Highway Department."	747, 768, 777, 780, 781, 788.
535	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys to the Department of Public Institutions for capital projects."	769, 771, 783, 784, 789, 798, 800, 833, 834, 835, 841, 843, 844, 848, 850, 852.
536	Introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys to the Montana University System for capital projects, repairs, renovation and remodeling for the biennium ending June 30, 1967."	770, 771, 783, 784, 787, 799, 833, 834, 835, 837, 851, 852.
537	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain state agencies for the purchase of land, the repair, remodeling, renovation, construction and furnishing of buildings and other improvements to land."	770, 782, 783, 784, 799, 803, 833, 834, 835, 843, 844, 851, 852.
538	Introduced by Sheehy, Shugrue: A bill for an act entitled: "An act to appropriate money in order to establish the Montana Atomic Energy Commission; granting to the Governor the power and authority to enter into agreements with the United States Atomic Energy Commission or other appropriate federal agency or authority; providing for an advisory committee on nuclear energy; providing for licenses to handle radioactive materials; providing an appropriation of \$5,000.00; setting forth the penalties; and providing a repealing clause."	774, 817.
539	Introduced by McNamara, Shugrue, Rehberg: A bill for an act entitled: "An act to appropriate two thousand dollars (\$2,000.00) to the Superintendent of Public Instruction for a study of the Montana High School Association."	785, 817.
540	Introduced by Hall: A bill for an act entitled: "An act to appropriate money to Interim Committees	

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	of the House of Representatives for study of the following departments and agencies of the State of Montana: Department of Public Welfare; State Board of Equalization; National Guard; Unemployment Compensation Commission; Fish and Game Commission; State Department of Institutions; and Montana University System."	813, 817, 825, 826, 827, 829, 850.
	HOUSE RESOLUTIONS	
1	Introduced by Sheehy, Gill: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly providing that the Fish and Game Committee of the House investigate and determine the circumstances surrounding the reputed transfer of \$58,000 of Fish and Game funds, and report its findings orally and in writing to the House and the Appropriations Committee of the House on or before the thirtieth day, for the purpose of aiding the Appropriations Committee in fixing and defining the uses and purposes of appropriations in this Assembly.	54.
2	Introduced by Bashor, Sheehy: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly to strive for a better people's climate.	54.
3	Introduced by Lucas, Felt, Tooke: A Resolution of the House of Representatives to the Congress of the United States, the Montana congressional delegation, the United States Treasury Department, and the President of the United States requesting legislation authorizing minting of silver dollars.	56, 245, 317.
4	Introduced by Hall, Gilligan, Flynn, Harper, Holtz, Judge, McDonald, Gunderson: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly requesting the Governor of the State of Montana to report to the House of Representatives, for the purpose of aiding the House of Representatives to determine funds available to the State of Montana for the forthcoming biennium, whether there is in fact a surplus in the general fund of the State of Montana and, if so, the amount thereof and the portion of the budget submitted by the Governor of the State of Montana wherein such surplus is set forth.....	63, 189.
5	Introduced by Wayrynen, Cerovski: A Resolution by the House of Representatives of the State of Montana prohibiting the use of recording devices.	86, 175.
6	Introduced by Necrology Committee: That whereas, members of this House, along with all of the people of the State of Montana, were profoundly shocked and bereaved by the news of the untimely	

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	death of Jack C. Toole of Shelby, Toole County, Montana.	184.
7	Introduced by Wayrynen, Cerovski, Judge, Delano, Schye, Twedt: Concerning an electric sound system and voting machine for the Senate.	144, 183.
8	Introduced by Bollinger, Bailey, Deschamps, O'Hair, Prevost, Gilligan, Schepens, Nefzger, Wayrynen, Raundal, Cummings, Meccage, Christiansen, Gill, Obstarczyk, McNamara, Lewis, Judge, Sartz, Brenner, Watt, Slaby, Flynn, Egan, Lund, Casey, McDonald, Hall, Asbjornson, Spilde, Garrison, Smith, Nichols, Selstad, Nelson, Rygg: A Resolution of the House of Representatives requesting that a comprehensive study be conducted by the Legislative Council to determine the best utilization of the facilities at Glasgow air force base for the benefit of the people of Montana, and report its findings and recommendations, together with any legislation deemed necessary, to the Fortieth Legislative Assembly.	224.
9	Introduced by Rehberg, Woodard, Pierce, O'Leary, Gerke, Sheehy, Felt, Crum: A Resolution of the House of the State of Montana declaring Montana vacations for Montanans, too, year and commencing the Billings Advertising and Sales Club.	370, 708.
10	Introduced by Aasheim, Leuthold, Hanks, Eskildsen, Harper: A Resolution of the House of Representatives of the State of Montana urging the Great Northern Railway, Northern Pacific Railway, and Chicago, Milwaukee, St. Paul and Pacific Railroad to establish a reduced rate on Montana wheat shipped to west coast ports for export.	482, 551, 653.
11	Introduced by Slaby, Harper, Willits, Lucas, Swanz, Smiley: A Resolution of the House of Representatives of the State of Montana urging Congressional action to help reduce transportation costs through encouragement of competition.	499, 551, 653.
12	Introduced by Gill: A Resolution of the House of Representatives of the State of Montana expressing its intent that the definition of angling as provided in the Fish and Game Laws shall permit snagging of paddlefish.	562, 605.
13	Introduced by Zimmer, Broeder, Scherf, Rygg, Atkins, Jensen, Sullivan, Gill: A Resolution of the House of Representatives of the State of Montana urging the Federal Government to construct the proposed multipurpose Glacier View Dam on the North Fork of the Flathead River with proper emphasis on flood control and also integrate the flood control and power generating capabilities of Spruce Park and Hungry Horse Dams giving persons and firms in Montana first priority for electric power resulting from development of water resources in the state.	583, 591.

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14	Introduced by Pierce, Flynn: A Resolution of the House of Representatives of the State of Montana requesting that the Governor appoint a committee to study laws relating to mobile homes and report their findings to the Fortieth Legislative Assembly.	584, 606.
15	Introduced by Committee on Rules and Journal: A Resolution of the House of Representatives to amend Joint Rule No. 6-37.	589, 590.
16	Introduced by Bashor, Schye: A Resolution of the House of Representatives of the 39th Legislature of the State of Montana. Providing for a special committee of the House of Representatives of the State of Montana, to continue a study of the Hutterites began by the 38th Legislative Assembly, and to provide for the report of said investigation by the committee appointed by the House of Representatives of the State of Montana for the use and guidance of the Fortieth Legislative Assembly of the State of Montana.	609, 742.
17	Introduced by Atkins, Judge, McNamara: A House Resolution of the House of Representatives of the State of Montana of the Thirty-ninth Legislative Assembly requesting that the 1968 National Boy Scout Jamboree be held in Glacier National Park.	611, 680.
18	Introduced by Aasheim, Christiansen: A Resolution of the House of Representatives of the State of Montana establishing an interim committee to study the problem of reapportioning the Montana Legislative Assembly and present its findings to the United States District Court for the district of Montana.	633, 702, 747, 748, 750, 818.
19	Introduced by Tracy: A Resolution of the House of Representatives of the State of Montana directing the speaker to appoint a committee of three members to request the United States District Court for further instructions regarding reapportionment.	702, 747, 748, 818.
20	Introduced by Deschamps: A Resolution of the House of Representatives of the State of Montana requesting the Montana Legislative Council to explore and research statutes utilized in other states, compare them with the adequacy of Montana statutes on the subject, and prepare proposed legislation along the lines of a "Montana Fair Housing Act" for consideration of interested legislators with a view to determining whether such proposal should be introduced in the 40th Legislative Assembly.	663, 742.
21	Introduced by Zimmer, Scherf, Broeder, Rygg: A Resolution of the House of Representatives of	

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	the State of Montana asking that the Federal Government locate a regional medical center in Montana if Congress authorizes such centers.	671, 680.
22	Introduced by Prevost, Schepens, Eklund, Sartz, O'Hair, Meccage, Christiansen, Cummings, Holtz, Nefzger, Cerovski, Mather, Lucas, Twedt, Ulmer, Eskildsen: A Resolution of the House of Representatives of the State of Montana expressing the opinion that freight rates on grain to Pacific coast ports should be reduced, but that if rates from Dakota points to Pacific coast ports are adjusted, rates from intermediate points in Montana should be adjusted so that Montana farmers and grain shippers are not discriminated against and rates to North Pacific coast ports show the same progressive decrease as distance declines as do rates to marketing points in the East.	671, 681.
23	Introduced by Johnson, Fischer: A Resolution of the House of Representatives supporting the request of the Deer Lodge County Commissioners that the federal food stamp program be extended to that county.	679, 742.
24	Introduced by Johnson, Twedt, Slaby, Cregg, Bardanoue, Shugrue, Lombardi, Tracy, Cerovski, Gilfeather, Sartz, Brenner, Schepens, Lewis, Wayrynen: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly of the State of Montana requesting the Governor of the State of Montana, the Montana Department of Public Welfare, the Montana State Department of Administration, and any other state or county agency or agencies to immediately take all measures necessary to have all eligible areas in the State of Montana participate in the Food Stamp Act of 1964.	728, 742.
25	Introduced by Ulmer, Broeder, Eskildsen, Wayrynen: A Resolution of the House of Representatives of the State of Montana establishing an interim committee to conduct a comprehensive study of the administration and operation of the Montana Highway Department in cooperation with the Highway Commission and report the findings and recommendations of this study to the Fortieth Legislative Assembly.	747, 770, 850.
26	Introduced by Cerovski: A Resolution of the House amending certain joint rules.	795, 825.
27	Introduced by Gilfeather, Twedt, O'Hair, Christiansen: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the State Board of Equalization of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the	

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	committee to report to the 40th Legislative Assembly.	810, 814, 850.
28	Introduced by Johnson, Gilfeather: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the Unemployment Compensation Commission of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly.	810, 814, 850.
29	Introduced by McNamara: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the National Guard of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly.	810, 814, 850.
30	Introduced by Hall, Gilfeather: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the Department of Public Welfare of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee report to the 40th Legislative Assembly.	810, 814, 850.
31	Introduced by Raundal, Egan, Nichols, Spilde: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the Montana University System of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly.	810, 818, 850.
32	Introduced by Gill, Christiansen, Gunderson, Slaby, Judge, Delano: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the Fish and Game Commission of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly.	810, 814, 850.

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33	Introduced by Bollinger, Watt, MacCalman: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the State Department of Institutions of the State of Montana, authorizing the committee to invite a like number of Senators to participate and directing the committee to report to the 40th Legislative Assembly.	812, 814, 850.
34	Introduced by Committee on Reapportionment: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly of the State of Montana for an interim committee to be appointed by the Speaker on matters of reapportionment.	824, 825, 850.
	HOUSE JOINT RESOLUTIONS	
1	Introduced by Bardanouve and Christiansen: A Joint Resolution of the Senate and House of Representatives requesting the State Controller and Budget Director to prepare a comprehensive inventory of all state moneys held outside the State Treasury for the use of the Legislative Council in preparing a report on the management of such funds for the Fortieth Legislative Assembly.	29, 68, 72, 81, 85, 93, 764, 779, 780, 794, 849.
2	Introduced by Bardanouve, Johnson, Fischer: A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council revise laws relating to the State Board of Health.	30, 72, 81, 85, 88, 92, 101, 764, 779, 780, 794, 849.
3	Introduced by Harper, Flynn and Willits: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States, the Montana Congressional Delegation, the Committee on Interstate and Foreign Commerce of the United States Senate, and the Committee on Interstate and Foreign Commerce of the United States House of Representatives requesting the passage of legislation to amend 34 statutes at large 1416, codified as 45 United States Code, Section 62, relating to the hours which employees of railroads may be required to work.	30, 68, 72, 81, 85, 93, 246, 265, 276-SA, 297, 298, 301, 343.
4	Introduced by Watt, Judge, Gill, Jensen, Zimmer, O'Hair, Haines, Cregg, Nichols, Deschamps: A	

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	Joint Resolution of the Senate and House of Representatives directing the Montana Highway Commission to conduct a comprehensive study of the feasibility of a multipurpose tunnel in the vicinity of McDonald's Pass.	44, 89, 192, 266, 304, 335, 344, 378, 713.
5	A Joint Resolution of the Senate and House of Representatives providing that notice of all public hearings by Legislative Committees be posted.	44, 68, 69, 72, 74, 82, 192, 216.
6	Introduced by Boughton, Lucas, Smith, Tooke, Falkenstein, Ulmer, East: A Joint Resolution of the Senate and House of Representatives asking that the President and Congress be vigilant in maintaining quotas on imported meat or meat products and requesting rigid inspection requirements for imported meat or meat products.	53, 196, 208, 231, 237, 240, 258, 567, 580, 581, 585, 588, 661.
7	Introduced by Lucas, McOmber, Stranahan, Bashor, Crum: A Joint Resolution of the House of Representatives and the Senate of the State of Montana making application to the Congress of the United States to call a convention for the purpose of amending the Constitution of the United States so as to provide that a state having a bicameral legislature may apportion membership in one house of its legislature on other than a population basis.	53, 102, 323.
8	Introduced by Smiley, Stranahan, Woodard, Bashor, Lucas, McOmber, Crum: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting and urging that the Congress of the United States propose an amendment to the Constitution of the United States as provided in Article V of the Constitution of the United States providing that a state having a bicameral legislature may apportion membership in one house of the legislature on other than a population basis.	53, 103, 323, 345.
9	Introduced by Nichols, Bardanouve, Eskildsen, Leuthold, Christiansen, Flynn, Ulmer, Lucas, Haines, Jenkins, Rehberg, Woodard, Loman, Jensen: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; and to the Honorable Orville L. Freeman, Secretary of Agriculture, urg-	

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	ing passage of legislation extending the Sugar Act, to protect the future economic stability of our domestic beet sugar industry and to allow an immediate increase in domestic quotas.	58, 319, 344, 388, 401, 422, 444, 582, 596, 610, 611, 661.
10	Introduced by Flynn, Deschamps: A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council conduct a study of the feasibility and desirability of a state motor pool.	61, 102, 123, 130, 133, 167, 482, 713.
11	Introduced by Eskildsen, Bardanouve, Nichols, Boughton, Nutting, Atkins, Meccage, Christiansen, Lucas, Prevost, Zimmer, Ulmer, Harper: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the United States, the Honorable Lyndon B. Johnson, the Congress of the United States, the administrator of the Veterans Administration, the Honorable William Driver and the Montana Congressional Delegation protesting the announced closure of the Veterans Administration Hospital located at Miles City, Montana.	66, 69, 72, 74, 81, 126, 140, 151, 173, 516.
12	Introduced by Wayrynen, Zimmer, Pierce, Shugrue, Lombardi, Healy, Tracy: A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council review, recodify, clarify and suggest improvements to the Montana fire code, reporting their findings and recommendations to the Fortieth Legislative Assembly.	76, 114, 123, 141, 142, 167, 764, 777, 794, 849.
13	Introduced by Boughton, Smith, Garrison, Stranahan: A Joint Resolution of the Senate and House of Representatives of the State of Montana expressing the opinion that thefts of livestock might decline if there were consideration of more stringent application of penalties by district judges and the State Board of Pardons.	86, 133, 172, 180, 181, 194, 324, 330, 341, 343, 438.
14	Introduced by Williams, James, Nutting, Eskildsen, Harper, O'Hair, Meccage, Eklund: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Secretary of Agriculture study prices paid to meat producers, costs of processing, and retail prices to determine if meat processors and retailers are receiving unwarranted profits.	89, 133, 172, 180, 181, 194, 324, 330, 341, 343, 438, 482.

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15	Introduced by Bailey, Bollinger, Cerovski, Lucas, Eskildsen, Casey, Wayrynen, Lund: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the United States, the Honorable Lyndon B. Johnson, the Congress of the United States, the Secretary of Defense, the Honorable Robert S. McNamara, and the Montana Congressional Delegation, questioning and protesting the announced closure of the Glasgow Air Force Base located at Glasgow, Montana.	94, 196, 211, 232, 240, 256, 494, 504, 505, 507, 566.
16	Introduced by Broeder: A Joint Resolution of the Senate and House of Representatives authorizing and requesting the Governor to proclaim 1935 a year to see Montana, the United States and its possessions, to encourage and promote vacation travel therein, and authorizing the Governor to appoint a state chairman to coordinate the efforts of state agencies and other organizations in this endeavor.	103, 213, 229, 254, 260, 273, 567, 584, 585, 591, 594, 661.
17	Introduced by Hanks, Haines: A Joint Resolution of the Senate and House of Representatives asking that the scenic beauty of Montana be given full consideration by state and federal agencies of government when other natural resources are being developed.	107, 213, 233, 254, 260, 273, 494, 504, 505, 507, 566.
18	Introduced by McNamer, Bardanouve, Leuthold, Healy, Felt: A Joint Resolution of the Senate and House of Representatives, requesting the Legislative Council to conduct a comprehensive study of the operation, effectiveness and powers of the legislative branch of government.	111, 306, 342, 360, 387, 399, 764, 777, 794, 849.
19	Introduced by Williams, Hanks, Stranahan, Bailey, Leuthold: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Federal Government change the name of Canyon Ferry Reservoir to Lake Broadwater.	126, 180, 186, 210, 211, 216, 228, 343, 644.
20	Introduced by Lucas, Felt, Haines, Selstad, Delano, Broeder, Leuthold, Nelson, East, MacCalman, Swanz, Rehberg, Crum, Dye: A Joint Resolution of the Senate and the House of Representatives consenting to a capital construction program.	126, 342, 818.
21	Introduced by McNamer, Sheehy, Gilfeather: A Joint Resolution of the Senate and House of Rep-	

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	representatives requesting the Governor to reappoint the committee to study the Montana business corporation laws; to expand that committee and the scope of its study to include corporations not for profit; and to develop ways and means whereby a model business corporation code and a model non-profit corporation code can be drafted.	133, 305, 344, 388, 401, 422, 582, 607, 610, 611, 661.
22	Introduced by Jensen, Smiley, Loman, Dye: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Congress of the United States, requesting the study of the need to regulate forecasting of election results on election day by news media.	133, 269, 304, 335, 344, 378, 567, 580, 581, 585, 588, 661.
23	Introduced by Cerovski, Raundal: A Joint Resolution of the House of Representatives and the Senate of the State of Montana to the Honorable Mike Mansfield, the Honorable Lee Metcalf, United States Senators from the State of Montana; the Honorable Arnold Olsen and the Honorable James Battin, United States Representatives from the State of Montana; to General George Walker of the Corps of Engineers, Omaha Division; urging Congress to approve development of the Upper Missouri River as outlined by the Corps of Engineer's modified Plan IV.	133, 269, 298, 326, 329, 350, 396, 713, 760, 761, 794, 850.
24	Introduced by Judge, Gill, Loman, Bardanouve: A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council conduct a study of present recreation facilities, future needs, and the economic importance of recreation in Montana.	143, 341, 360, 407, 425, 433, 713.
25	Introduced by Judge, Lewis: A Joint Resolution of the Senate and House of Representatives requesting the Federal Government to construct an air facility near Glacier National Park which would be capable of accommodating the modern type of aircraft.	144, 269, 304, 335, 344, 377, 582, 596, 610, 611, 661.
26	Introduced by Loman, Harper, James, Egan: A Joint Resolution of the Senate and House of Representatives opposing nationalization or socialization of privately-owned and operated railroads and urging action by Congress and the President of the United States to prevent state ownership and operation of the railroad industry.	152, 278, 304, 335, 344, 377, 629, 667, 668-SA, 760, 770, 775, 850.

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27	Introduced by Willits, Zimmer, Egan, Gilligan, McDonald, Gunderson, Holtz, Rygg, Delano, Gilfeather, Hall: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the United States and Congressional Delegation of Montana to consider setting up a federal disaster insurance program.	152, 269, 298, 326, 331, 357, 713, 760, 770, 775, 850.
28	Introduced by Willits, Zimmer, Egan, McOmber, Gilligan, McDonald, Gunderson, Holtz, Rygg, Delano, Gilfeather, Hall: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the President of the United States of America, Department of Interior, Bureau of Reclamation, United States Corps of Engineers, Congressional Delegation of Montana and the Congress of the United States, requesting immediate action on a program for flood control in Montana.	152, 269, 298, 326, 331, 356, 583, 596, 610, 611, 661.
29	Introduced by Hall: A Joint Resolution of the Senate and House of Representatives of the Legislative Assembly of the State of Montana requesting that the Legislative Council conduct a study of the laws relating to the use of voting machines in municipal elections with a view to suggesting amendments to the laws in connection therewith and to report thereon to the Fortieth Legislative Assembly.	152, 286.
30	Introduced by Harper, Eskildsen: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Governor of the State of Montana and to the Supreme Court of the State of Montana.	152, 204, 223, 248, 249, 260, 272.
31	Introduced by Felt, James, Smiley, Garrison, Stranahan: A Joint Resolution of the House of Representatives and the Senate of the State of Montana to the United States Congress and the President of the United States asking that Congress immediately enact legislation recognizing the supremacy of state water laws.	152, 269.
32	Introduced by Felt, James, Smiley, Garrison, Stranahan: A Joint Resolution of the House of Representatives and the Senate of the State of Montana to the Congress of the United States and to the President of the United States declaring that the waters of the State of Montana are reserved by the State of Montana for appropriation, use and development by its citizens.	153, 269.
33	Introduced by Gerke, Mather: A Resolution of the Senate and House of Representatives requesting	

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	the Legislative Council to conduct a study of the problems of municipalities and possible solutions.	153, 208, 231, 240, 256, 713.
34	Introduced by Slaby, Johnson, Gilligan, Willets: A Joint Resolution of the House of Representatives and the Senate of the State of Montana calling for speedy enactment by the United States Congress, of an amendment to the Taft-Hartley Act to abolish that provision of said act dealing with right to work laws.	153, 269, 286, 326, 331, 357, 583, 607, 608, 610, 611, 701.
35	Introduced by Slaby, Gilligan, Atkins, Flynn: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting the Legislative Council to conduct a study of the State Department of Labor in specified areas.	153, 224, 240, 265, 277, 294, 713.
36	Introduced by Bardanoue: A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council study present state printing and duplicating procedures and submit a written report of their findings to the Fortieth Legislative Assembly.	153, 182, 196, 218, 230, 238, 713.
37	Introduced by Hall, McDonald, Gilligan, Gunderson, McOmber, Holtz, Willits, Gilfeather: A Joint Resolution of the Senate and House of Representatives of the Legislative Assembly of the State of Montana calling to the attention of the Bureau of Public Roads and the Montana State Highway Commission to the duty of such agencies to locate highways in a manner compatible with the greatest public good and the least private injury, and directing and requesting that such agencies locate, operate, and maintain the highways in the State of Montana in conformity with that duty.	153, 252, 278, 303, 318, 338, 713, 760, 770, 775, 850.
38	Introduced by Sheehy, Gerke, O'Leary, Wayrynen, Cerovski, Harper, Hall, Lucas: A Joint Resolution of the Senate and House of Representatives of the State of Montana expressing support for the United States commitment of assistance to the Republic of Viet Nam and further expressing support for recent United States military action against bases in North Viet Nam.	404, 412, 423, 455, 461, 468, 583, 607, 608, 610, 611, 701.
39	Introduced by Gerke, Twedt, Watt, Gilligan, Healy, Sheehy, O'Leary, Fischer, Johnson, Cregg, Flynn, Deschamps, Slaby: A Joint Resolution of the Senate and House of Representatives of the Thirty-ninth Legislative Assembly providing for consent and payment for projects not included in	

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	<p>the general fund budget and for legislative consent for capitol building construction program.....</p> <p>40 Introduced by Haines, McOmber, Lucas, Cerovski: A Joint Resolution of the Senate and House of Representatives of the Thirty-ninth Legislative Assembly providing for consent and payment for projects not included in the general fund budget.</p> <p>41 Introduced by Judge, McNamara: A Joint Resolution of the Senate and House of Representatives consenting to a capitol construction program.</p>	<p>545, 818.</p> <p>612, 771, 783, 784, 799, 803, 847, 848, 852.</p> <p>814, 817, 825, 826, 829, 833, 834-SA, 848, 852.</p>
	<p style="text-align: center;">SENATE JOINT RESOLUTIONS</p> <p>1 Introduced by Rostad, Beley, Dussault, Hilling, Moritz, Thomas, Reardon: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting that the Legislative Council conduct a comprehensive study of retirement systems for policemen and firemen in the state, and submit a written report of their findings together with any necessary recommendations and implementing legislation to the Fortieth Legislative Assembly.</p> <p>2 Introduced by Mathers, Groff, Cotton, Hibbard: A Joint Resolution of the Senate and the House of Representatives requesting the Legislative Council to revise the State School Laws.</p> <p>3 Introduced by McGowan, Harris, Davis, Kafka: A Joint Resolution of the Senate and House of Representatives directing the Legislative Council to compile an inventory of water, mineral, timber, petroleum, and other natural resources of the state and submit a written report of this inventory to the Fortieth Legislative Assembly.</p> <p>4 Introduced by Groff, Holt, Thiessen, James, Gerard, McDonnell, Mathers, Cumming, Cole, Beley, Cotton, Hauk, Manning, MacDonald, Keller, Kafka, Siderius, Graham, Breen, Hilling, Mackay, Hibbard, Mahoney, Nees, Beck, Edwards, Lehrkind, Ullom, Turnage, Melcher, Nixon, Anderson, Rostad, Brownfield, Balgord, Bovey, Goodwin, Dussault, Jensen, Moritz, Brenner, Rieder, Thomas, O'Neill, Moberly, McKenna, Bentz, Michels, McGowan, Killenbeck: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting and urging that the Congress of the United States propose an amend-</p>	<p>216, 217, 240, 265, 276, 360, 482.</p> <p>84, 85.</p> <p>126, 127, 490, 500, 517, 576.</p>

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	ment to the Constitution of the United States as provided in Article V of the Constitution of the United States providing that a state having a bicameral legislature may apportion membership in one house of the legislature on other than a population basis.	98, 99, 206, 207, 222.
5	Introduced by Brownfield, Manning, James, Thomas, Gerard, McDonnell, Mackay, Siderius, Rieder, Moberly, Holt, Breen, O'Neill, Cotton, Graham, Hauk, Brenner, Hilling, Moritz, Bentz, McKenna, Mathers, Balgord, Cole, MacDonald, Keller, Kafka, Nees, Beck, Edwards, Ullom, Lehrkind, Thiessen, Turnage, Melcher, Beley, Groff, Nixon, Anderson, Rostad, Bovey, Goodwin, Dussault, Cumming, Jensen, Hibbard, Mahoney, Michels, McGowan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana making application to the Congress of the United States to call a convention for the purpose of amending the Constitution of the United States so as to provide that a state having a bicameral legislature may apportion membership in one house of its legislature on other than a population basis.	98, 99, 206, 207, 208, 218, 229.
6	Introduced by Gerard, Brenner, McGowan, Beck: A Joint Resolution of the Senate and House of Representatives of the State of Montana, urging the passage of legislation to amend the Reclamation Act and any other laws or rules, to waive the application of the land limitation clause in the area above Canyon Ferry dam in the State of Montana, and providing that copies be forwarded to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; to the Secretary of the Interior and to the United States Bureau of Reclamation.	170, 564.
7	Introduced by Lehrkind, Turnage, Moberly, Gerard: A Joint Resolution of the Senate and House of Representatives of the State of Montana directing the Unemployment Compensation Commission to investigate the Unemployment Compensation Laws of the State of Wyoming; to study the methods used by the State of Wyoming to balance its unemployment trust fund and to report to the Thirty-ninth Legislative Assembly of the State of Montana the desirability of adopting methods used by the State of Wyoming.	404, 406, 506.
8	Introduced by Melcher, Cotton, MacDonald, Thiessen, Jensen, Harris, McKenna, Beley, Huntley, Beck, Graham, Mahoney, Dussault, Siderius, Hauk, Reardon, Kafka, Davis: A Joint Resolution of	

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	the Senate and the House of Representatives of the State of Montana registering opposition to the proposed merger of the Great Northern; Northern Pacific; Chicago, Burlington and Quincy, and the Spokane, Portland and Seattle Railroads.	280, 282, 552, 562, 577, 612.
9	Introduced by McGowan, Mackay, Gerard, Dussault, Hibbard, Groff: A Joint Resolution of the Senate and House of Representatives asking the Legislative Council to conduct a study of the existing tax structure, estimated revenue from various types of taxes, the needs for new state revenue and the effects on the Montana economy of the various revenue sources.	446, 646, 705, 739, 768.
10	Introduced by Moritz, McGowan, Kafka: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Honorable Mike Mansfield, the Honorable Lee Metcalf, United States Senators from the State of Montana; the Honorable Arnold Olsen and the Honorable James Battin, United States Representatives from the State of Montana; to General George Walker of the Corps of Engineers, Omaha Division; that careful consideration be given to water and power development on the Missouri River.	301, 302, 487.
11	Introduced by Gerard, Balgord, McGowan, Hibbard, Keller, Mathers, Cole, O'Neill: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States and to the members of the Montana Congressional Delegation, requesting that certain provisions of Public Law 566, be enlarged to fit the needs of the State of Montana and other western states similarly situated.	333, 487, 496, 500, 543, 547, 645.
12	Introduced by Brenner, Hibbard, James, Melcher, Mackay: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Legislative Council study the feasibility and desirability of consolidating the administrative functions of professional and occupational licensing boards.	262, 264, 490, 500, 518, 576.
13	Introduced by Thiessen, Nees: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the Legislative Council to study water conservancy districts and report its findings to the Fortieth Legislative Assembly of the State of Montana.	301, 302, 505, 510, 516, 542, 576.
15	Introduced by MacDonald: A Joint Resolution of the Senate and the House of Representatives consenting to a capitol construction program.	476, 478, 792, 798, 805, 811.

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Bold face figures refer to roll call on third reading. Thus: 300.

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5	Introduced by Hafferman, Cumming, Huntley, Jensen, Thiessen, Davis: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R.C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by a person of the age of sixty-five (65) years, or more, who is not gainfully employed to such extent as would render him ineligible for social security benefits and who does not have income, excluding such retirement benefits, in excess of one thousand dollars (\$1,000) per year; repealing all acts and parts of acts in conflict therewith."	443, 444.
7	Introduced by Mathers, Moritz, McGowan, Beck: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Public Institutions and the following public institutions: Montana Veterans' Home, State Hospital, State Prison, State Tuberculosis Sanitarium, Montana Center for the Aged, State Industrial School, State Training School and Hospital, Montana Children's Center and State Vocational School for Girls; amending Sections 10-504, 10-506, 10-507, 10-509, 10-512, 10-612, 10-632, 16-2723, 16-3410, 69-317, 69-318, 69-2308, 75-3002, 82-401, 82-602, 82-1014, 82-1131.1, 82-1202, 82-1301, 82-2202, 82-1914, 91-105, 91-106, 94-35-264, 94-8020, 94-8022 and 94-8023, R. C. M. 1947, and repealing Sections 10-101, 10-101.1, 10-102, 10-105, 10-110 through 10-114, 10-118 through 10-121, 38-101, 38-102, 38-104, 38-712 through 38-724, 38-802, 38-804 through 38-807, 38-810, 38-811, 38-813 through 38-816, 38-819, 38-1001, 38-1002, 38-1003, 38-1101, 38-1106, 38-1108 through 38-1112, 72-144, 80-201, 80-206, 80-207, 80-209, 80-210.1, 80-215, 80-302, 84-303, 80-308, 80-310, 80-311, 80-313, 80-316, 80-320, 80-601 through 80-608, 80-701 through 80-705, 80-707, 80-707.1, 80-707.2, 80-707.3, 80-707.4, 80-707.5, 80-708 through 80-715, 80-719, 80-720, 80-731, 80-732, 80-733, 80-738, 80-740, 80-740.1, 80-742, 80-743, 80-745, 80-746, 80-748, 80-806, 80-807, 80-809, 80-811, 80-815 through 80-824, 80-902, 80-903, 80-911, 80-915, 80-918 through 80-929, 80-1001 through 80-1006, 80-1101, 80-1201 through 80-1212, 80-1301 through 80-1306, 80-1103, 82-2801 through 82-2803, 94-35-152, 94-35-152.1 through 94-35-152.18, R. C. M. 1947."	443, 444, 553, 568, 579, 597, 644, 645, 646, 682, 701, 760.
8	Introduced by Rieder, Siderius, Hafferman, Jensen, McGowan, Melcher, Graham, McKenna, Davis: A bill for an act entitled: "An act to establish the policy of the State of Montana on protection of	

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	fishing streams; providing for submission of plans for construction and hydraulic projects affecting such streams to the Montana Fish and Game Commission and for review of such plans; and providing for arbitration of disagreements between the Fish and Game Commission and the agency proposing such projects."	102, 104, 179, 193, 221.
9	Introduced by Mather, Brownfield, Brenner, Hibbard, Mackay, Rieder. A bill for an act entitled: "An act requiring the display of signs where imported meats or meat products are sold and requiring the labeling of imported meat or meat products containing imported meat."	126, 130, 708.
11	Introduced by Melcher, Nixon, Brenner: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 2, Article XII of the Montana Constitution permitting the Legislative Assembly to exempt from property taxation household goods, furniture and wearing apparel used by the owner for personal and domestic purposes."	404, 505, 591, 619, 634.
14	Introduced by Mathers, Graham, Hilling, Holt, Rostad, Bentz: A bill for an act entitled: "An act amending Section 75-3617, R. C. M. 1947, to provide that an elementary school having an ANB of nine (9) or less may be approved as an isolated school upon certain findings of the County Superintendent of Schools and State Superintendent of Public Instruction, approved by the Board of School Budget Supervisors; and providing an effective date."	189, 190, 506, 511, 538, 576.
16	Introduced by Groff, Rieder: A bill for an act entitled: "An act to amend Section 62-301, R. C. M. 1947, vesting powers and duties concerning state parks in the Fish and Game Commission; amending Section 62-304, R. C. M. 1947, to except wayside camps from Fish and Game control; amending Section 62-307, R. C. M. 1947, giving the Highway Commission powers concerning certain roads; amending Sections 62-310 and 62-311, R. C. M. 1947, making the Fish and Game Commission responsible for maintaining a state scientific and recreational park; amending Section 62-314, R. C. M. 1947, providing for violation of rules relating to state parks; amending Section 84-1812 (1), R. C. M. 1947, to provide one percent of certain license taxes for creation, improvement, and maintenance of state parks used for motor boating; and repealing Section 84-1812 (2), R. C. M. 1947."	126, 132, 487, 496, 504, 576.
17	Introduced by Goodwin, Nees, Gerard, McDonnell, Edwards, Bovey, McGowan: A bill for an act	

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	entitled: "An act relating to regulation of certain junkyards."	102, 105, 345, 491, 500, 510, 536, 608.
19	Introduced by Mathers, Cotton: A bill for an act entitled: "An act to amend Section 75-2701, Revised Codes of Montana, 1947, as last amended by Chapter 209, Laws of Montana, 1963, relating to earnable compensation and average final compensation of the Teachers' Retirement System, State of Montana; relating to withdrawal of accumulated contributions; and repealing all acts and parts of acts in conflict herewith."	280, 283, 768, 770.
20	Introduced by MacDonald, Mackay, O'Neill, Hilling: A bill for an act entitled: "An act relating to the organization of political parties and the selection and election of party nominees and officials; giving political parties the power to make rules and regulations, call conventions, select delegates, adopt platforms, nominate presidential electors, select officers and national committeemen and women, and nominate candidates to fill certain vacancies; amending Section 23-902, R. C. M. 1947, to change the date of the primary election; amending Section 23-513, R. C. M. 1947, relating to closing of registration and to publishing and posting of notice of the closing of registration; amending Section 23-514, relating to printing and posting of lists of registered electors; amending Section 23-807, R. C. M. 1947, relating to the filing of certain certificates of nomination; amending Section 23-809, R. C. M. 1947, relating to the Secretary of State's certificate of nomination; amending Section 23-929, R. C. M. 1947, relating to county and city central committees; amending Section 23-1008, R. C. M. 1947, relating to payment of convention expenses; amending Section 23-1117, relating to the furnishing of ballots to precincts; amending Section 23-1611, relating to voting machines; and repealing Sections 23-930, 23-932, 23-1002, 23-1003, 23-1007, R. C. M. 1947."	271, 552, 568, 578, 645.
22	Introduced by Lehrkind, Groff, Balgord: A bill for an act entitled: "An act to permit the State Board of Land Commissioners to acquire a tract of land which is of archeological, historic or scientific interest and should be preserved for posterity; providing for an effective date."	246, 478, 481, 496, 576.
23	Introduced by Hibbard, Lehrkind: A bill for an act entitled: "An act to amend Section 11-3248, R. C. M. 1947, which fixes salaries of mayors and city commissioners under the commission-manager form of city government; by increasing the salaries of such mayors and commissioners."	201, 485, 489, 495, 502, 576.

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26	Introduced by McGowan, Cotton, Ullom: A bill for an act entitled: "An act relating to issuing teaching certificates to persons who are not citizens; amending Section 75-2501, R. C. M. 1947."	102, 105, 509, 543, 546, 569, 608, 612, 620, 709, 746.
27	Introduced by Hilling, Dussault: A bill for an act entitled: "An act amending Section 51-103, R.C.M. 1947, making sales below 'cost' prima facie evidence of intent to injure or desroy competition."....	280, 282, 552, 568.
28	Introduced by Keller, Cotton, James, MacDonald, Brownfield, Edwards: A bill for an act entitled: "An act to amend Sections 75-1810 and 75-1813, R. C. M. 1947, to provide that bonded indebtedness is assumed by the new school district when school district boundaries are changed through consolidation or annexation."	443, 445, 588.
31	Introduced by Huntley, Nees, Rostad: A bill for an act entitled: "An act to amend Section 84-429.8, R. C. M. 1947, which authorizes a tax levy of two (2) mills for a state-wide reclassification and reappraisal of all taxable lands and improvements, by authorizing a levy of not to exceed one (1) mill upon all property subject to taxation for maintaining and keeping current such reclassifications and reappraisal."	246.
32	Introduced by McGowan, Huntley, James, Thiessen, Nees: A bill for an act entitled: "An act making it a criminal offense to sell, publish, exhibit or otherwise deal in obscene material; amending Section 94-3603, R. C. M. 1947, to delete reference to obscene material; amending Section 11-922, R. C. M. 1947, relating to the powers of city and town councils to prohibit the exhibition of immoral material; and repealing Sections 94-3601, 94-3602, 94-3604, 94-3605, and 94-3606, R. C. M. 1947, relating to obscene material."	443, 445, 669.
33	Introduced by Siderius, Hilling, Goodwin, Hibbard: A bill for an act entitled: "An act amending Section 16-3205, R. C. M. 1947, deleting the requirement that county auditors reside at the county seat; providing that county auditors be paid compensation monthly; providing an effective date."	166, 171, 490, 500, 517, 576.
34	Introduced by McDonnell, Lehrkind: A bill for an act entitled: "An act to describe, define, and officially adopt a system of coordinates for designating and stating the positions of points on the surface of the earth within Montana."	166, 171, 586, 619, 633, 667.
35	Introduced by Rieder: A bill for an act entitled: "An act to amend Section 26-201, Revised Codes of Montana, 1947, as amended by Chapter 34,	

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	Session Laws of 1959, relating to definitions and providing that chukar partridges be defined as upland game birds; the blackfooted ferret be added to furbearing animals; removing fox and Canada lynx from furbearing list; containing a repealing clause; and providing for effective date."	126, 132, 179, 193, 202, 222.
36	Introduced by Cole, Gerard, Dussault, Bovey, James, Mackay, Brenner, Beley, Lehrkind, Ullom, Hilling, O'Neill, Huntley, Melcher, Nixon, Moritz, Holt, Hibbard, Anderson, Manning, Mathers: A bill for an act entitled: "An act to create a committee on problems of aging."	246, 247, 487, 495, 503, 576.
38	Introduced by Cumming, Jensen, Hilling, Nixon, Nees, Dussault, Reardon, Ullom, Brenner, Beck: A bill for an act entitled: "An act designating mountain standard time as the legal time in the State of Montana and prohibiting the use or adoption by the state, counties, cities, towns, school districts or other political subdivisions of any other time than mountain standard time, repealing all acts and parts of acts in conflict herewith, and providing an effective date."	102, 105, 187, 188, 248, 249, 265, 271, 297, 612.
39	Introduced by Lehrkind, McGowan, Mackay, Gerard: A bill for an act entitled: "An act amending the Water Well Contractor's License Act to increase the number of persons composing the Water Well Contractor's Examining Board from three (3) to five (5) persons."	170, 478, 482, 495, 593.
41	Introduced by Cotton, Brownfield, Kafka: A bill for an act entitled: "An act to amend Section 75-3403, R. C. M. 1947, authorizing school board trustees to purchase or rent buses and provide for their upkeep and for two-way radios for said buses; providing for contracts for transportation not in excess of five (5) years; providing for school bus depreciation reserve not in excess of twenty per cent (20%) per year to replace original cost of school buses; providing for a repealing clause; providing for an effective date."	102, 105, 507, 516, 541, 576.
43	Introduced by Hibbard, Cumming: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana by adding a new section to provide for the continuity of state and local governments in a period of emergency caused by enemy attack notwithstanding other constitutional provisions."	475, 476, 606, 621, 657, 670, 678, 702, 704, 763.

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49	Introduced by Committee on Judiciary: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as 'The 1965 Bond Validating Act'; containing a repealing clause and providing an effective date."	170, 171, 487, 495, 503, 576.
51	Introduced by Graham, Melcher, MacDonald, McKay, Brenner, Hibbard, Moritz: A bill for an act entitled: "The Legislative Audit Act' creating a legislative audit committee and the office of Legislative Auditor and providing for the audit of state agencies by the Legislative Auditor; amending Sections 82-1002, 82-1005, 82-1007, 82-1009, 82-110, 71-206, 4-347, 4-230, and 5-910, R. C. M. 1947; and repealing Sections 82-1014, 82-1015, 82-1016, 79-504, 84-4403, 84-4404, and 84-4405, R. C. M. 1947."	280, 282, 552, 646, 705, 728, 739, 783, 784, 790, 791, 809, 850.
52	Introduced by Beck, Nixon: A bill for an act entitled: "An act to amend Section 82-3303, R. C. M. 1947, enacted as Section 3, Chapter 271, Laws of 1963, renaming certain divisions of the Department of Administration."	170, 171.
53	Introduced by Beck, Nixon: A bill for an act entitled: "An act to amend Section 59-701, R. C. M. 1947, requiring the trial balances at the close of each fiscal year of the accounts of each state office, department, bureau, commission, institution, university unit, and agency be transmitted to the State Examiner."	230, 231.
54	Introduced by Turnage, Mahoney: A bill for an act entitled: "An act relating to the Uniform Commercial Code of Montana by adding a new section to be known and codified as Section 87A-9-408, relating to the filing by certain public utilities of certain instruments required to be filed under the provisions of the Uniform Commercial Code; providing for a repealing clause; providing for a severability clause; and providing for an effective date."	170, 171, 481, 489, 497, 499, 500, 576.
55	Introduced by McGowan, Hibbard: A bill for an act entitled: "An act to amend Sections 69-1301, 69-1309, 69-1314, R. C. M. 1947, by inserting terms to include wells and underground waters hitherto not expressly included in this act."	201, 559, 584, 597, 645.

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56	Introduced by Hilling: A bill for an act entitled: "An act to amend Sections 11-725, 11-726, 11-728, 11-729 and 11-731, R. C. M. 1947, pertaining to salaries and qualifications of mayors and aldermen, and salaries of police judges, city and town treasurers, city and town clerks and city attorneys by providing for increased salaries for mayors, aldermen, police judges, city and town treasurers, city and town clerks and city attorneys in first, second and third class cities and towns and providing an effective date."	201, 486, 489, 498, 499, 501, 645.
57	Introduced by Nixon, O'Neill, Hibbard: A bill for an act entitled: "An act amending Sections 69-3001, 69-3002, 69-3003, 69-3004, 69-3007, 69-3008, 69-3009, 69-3010, 69-3012, 69-3013, and 69-3015, as amended, R. C. M. 1947, relating to hospital survey and construction; providing for the development and administration of hospital, medical and related facility construction and alteration programs; providing for compliance with requirements of federal acts and regulations to secure assistance in such programs; designating and authorizing the State Board of Health as the agency of the State of Montana for the development and administration of such programs and empowered to contract with the federal government in furtherance thereof; repealing Section 69-3006, R. C. M. 1947; and providing an effective date."	206, 207, 478, 482, 496, 576.
58	Introduced by Nixon, O'Neill, Hibbard: A bill for an act entitled: "An act amending Sections 69-2901, 69-2902, 69-2903, 69-2905, 69-2906, 69-2907, 69-2908, 69-2910, 69-2911, 69-2915, 69-2916, and 69-2917, R. C. M. 1947, relating to hospital licensing and supervision by the State Board of Health to include licensing and supervision of medical facilities and facilities for mental diseases and mental retardation; altering the composition, powers and title of the advisory hospital council with regard to such licensing and supervision; repealing Section 69-2910.1, R. C. M. 1947; and providing an effective date."	206, 207, 478, 482, 497, 576.
59	Introduced by McDonnell, Dussault: A bill for an act entitled: "An act to amend Section 91-4414, R. C. M. 1947, relating to exemptions from inheritance tax and totally exempt transfers."	280, 282, 560, 590, 616, 760.
61	Introduced by Hibbard, Cumming, McDonnell: A bill for an act entitled: "An act relating to insider trading of domestic stock insurance company equity securities."	166, 170, 481, 489, 498, 499, 501, 515, 535, 551, 553, 571, 645.

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62	Introduced by Turnage, Dussault, McDonnell: A bill for an act entitled: "An act amending Section 91-4405, R. C. M. 1947, eliminating the exception to the payment of inheritance taxes in certain cases of property held in co-ownership or in joint tenancy; and amending Section 91-4409, R. C. M. 1947, by increasing the percentage of tax in certain classes."	404, 405, 505, 510, 511, 516, 541, 576.
63	Introduced by Mackay, Melcher: A bill for an act entitled: "An act to provide for the regulation of commodities put up in packages in advance of being offered, or exposed for sale, sold, or in the process of delivery; to provide for the method of sale, advertisement, and enforcement; repealing Sections 90-130, 90-132, 90-144, and 90-301, R.C.M. 1947."	353, 358, 551, 562, 579, 597, 645.
64	Introduced by Cotton, Michels, Hibbard, Edwards: A bill for an act entitled: "An act amending Section 25-508, R. C. M. 1947, to increase the number of employees and school board members whose expenses to attend meetings of educational associations may be paid; providing for a savings clause; and providing for an effective date."	216, 217, 507, 516, 541, 576.
65	Introduced by Rostad, Mackay, Keller, McDonnell, Ullom, Goodwin, DeWolfe, Brenner, Thomas: A bill for an act entitled: "An act amending Section 43-107, R. C. M. 1947, to redefine congressional districts."	797, 818, 826, 828, 835.
67	Introduced by Cotton: A bill for an act entitled: "An act to amend Section 5-1028, R. C. M. 1947, as amended by Chapter 39, Session Laws of Montana, 1963, prohibiting branch banking; providing for drive-in and walk-up facilities with the approval of the Superintendent of Banks within specified distances from the main banking house; providing for a repealing clause; providing for a severability clause; providing for an effective date."	282, 481, 489, 500, 516, 576.
68	Introduced by Cotton, Edwards, Bentz: A bill for an act entitled: "An act to amend Section 32-1123, R. C. M. 1947, relating to size and weight of motor vehicles operating over and upon the highways of the State of Montana; providing for the outside width not in excess of ninety-six (96) inches for vehicles; providing for width of buses not in excess of one hundred two (102) inches and excepting implements of husbandry, including haystack movers, moved upon the highway; providing overall length for trucks not in excess of thirty-five feet (35) feet; providing that no tractor, semitrailer, full trailer or combination of vehicles	

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	shall have an overall length in excess of sixty (60) feet; no vehicle shall tow any combination of vehicles in excess of sixty (60) feet; providing for a repealing clause; providing for a saving clause; and providing for an effective date."	246, 247, 573.
69	Introduced by Harris, O'Neill, Davis: A bill for an act entitled: "An act to amend Section 80-201, R. C. M. 1947, renaming the 'Montana State Tuberculosis Sanitarium' the 'Montana State Pulmonary Disease Hospital', and describing its purpose."	262, 263, 280, 487, 495.
71	Introduced by Huntley, Turnage, Dussault, Mahoney: A bill for an act entitled: "An act to amend Section 93-1301, R. C. M. 1947, by removing the maximum age of seventy years from the qualifications of persons otherwise competent to act as jurors; repealing all acts and parts of acts in conflict herewith."	201, 202, 532, 546, 547, 570, 612.
72	Introduced by Cumming, Thiessen: A bill for an act entitled: "An act requiring that seat belts be installed in all automobiles manufactured or assembled commencing with the 1966 models; directing the Highway Patrol supervisor to establish specifications and requirements for approved types of safety belts and attachments; and providing a penalty."	170, 171, 481, 489, 497, 499, 501, 576.
77	Introduced by Mahoney, Dussault, Huntley, Reardon, Siderius: A bill for an act entitled: "An act to amend Section 92-823, Revised Codes of Montana of 1947, relating to the time of holding hearings and making findings and awards by the Industrial Accident Board; and allowing to a claimant proceedings in mandamus; and providing for payment on claims pending hearing and final determination and providing repayment by claimant where claim is made in bad faith; repealing all acts and parts of acts in conflict herewith."	262, 263, 506, 510, 536, 648, 772.
78	Introduced by Reardon, Bovey, Brenner, Moberly: A bill for an act entitled: "An act to amend Section 92-706, Revised Codes of Montana, 1947, authorizing Industrial Accident Board to order replacement or repair of artificial limb damaged in industrial accident."	280, 283, 506, 511, 538, 576.
83	Introduced by Harris, Holt, O'Neill: A bill for an act entitled: "An act providing for the protection of the public health by authorizing the State Board of Health to control public swimming pools and bathing places, definitions authorizing the State Board of Health to supervise public swim-	

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	ming pools and bathing places, requiring plans to be filed with the State Board of Health and approval obtained before construction, requiring pools and bathing places to be operated in a sanitary, healthful and safe manner, authorizing the State Board of Health to make and enforce rules and regulations of the State Board of Health, authorizing inspection, authorizing publication of reports of inspection, declaring pools and bathing places operating contrary to the provisions of this act a nuisance, authorization of nuisance abatement, setting for the penalties, repealing all acts or parts of acts in conflict with this act."	216, 217, 559, 584, 597, 645.
84	Introduced by Dussault, Cumming: A bill for an act entitled: "An act amending Section 93-1906, R. C. M. 1947, increasing the annual salaries of Court Reporters from six thousand six hundred dollars (\$6,600.00) to seven thousand eight hundred dollars (\$7,800.00)."	216, 218, 513, 543, 549, 608.
86	Introduced by Cumming, Turnage: A bill for an act entitled: "An act to amend Section 68-501 of the Revised Codes of Montana, 1947, paragraph (F), relating to the Public Employees' Retirement System, credit allowance for service performed in national defense; repealing all acts or parts of acts in conflict herewith; providing for an effective date."	230, 231, 586, 619, 633, 667.
89	Introduced by Mahoney, Huntley, Turnage, McDonnell, Ullom, Hafferman, Davis, McKenna: A bill for an act entitled: "An act to authorize cities and towns to make an all purpose annual mill levy in lieu of all levies now authorized by law; and providing an effective date."	206, 207, 486, 489, 498, 499, 501, 576.
91	Introduced by McGowan, Bovey, Beck, Mackay: A bill for an act entitled: "An act to amend Section 53-103, R. C. M. 1947, by providing that the number plates on motor vehicles be issued annually; that they be treated with reflectorized background material or numerals and border; providing for an additional registration fee; providing for the disposition of such fees; deleting therefrom the provisions for insert tabs or plates and deleting therefrom the provision for windshield stickers."	443, 445, 546, 580, 596, 617, 760.
92	Introduced by Bentz, Brenner, Melcher, Michels, Thomas, Holt, Moberly, Goodwin, Nees, McGowan, Edwards, Killenbeck, Anderson, Huntley, Mathers, Thiessen, Brownfield, MacDonald, Hauk, Moritz, Breen, Cotton, DeWolfe: A bill for an act entitled: "An act to amend Section 84-1817, R. C. M. 1947,	

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	which provides for distribution of State Highway Construction Funds: by providing that twenty percent (20%) of the state money available in any year within a financial district for the primary system may be transferred to the secondary system in that financial district."	404, 405, 513, 543, 548, 608.
93	Introduced by Hafferman, Huntley, Reardon, Siderius: A bill for an act entitled: "An act to amend Section 11-1024, Revised Codes of Montana, 1947, to increase amount of governing groups participation in group health plans from not to exceed five dollars (\$5.00) per month to not to exceed seven dollars and fifty cents (\$7.50) per month."	301, 302, 505, 510, 511, 516, 540, 576.
94	Introduced by Reardon, Hafferman, Kafka, Siderius, Davis, Huntley, Mahoney: A bill for an act entitled: "An act amending Section 92-701, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, and amending Section 92-702, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, and amending Section 92-703, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, and amending Section 92-704, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, and amending Section 92-709, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, all relating to increases in workmen's compensation and benefits for temporary total, permanent total, or partial disabilities, injury causing death, and specified injuries; and length of time for benefits for injuries causing death; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	475, 476, 506, 510, 536, 546, 569, 612.
95	Introduced by Groff, Turnage, Dussault, Mahoney: A bill for an act entitled: "An act amending Section 93-901, R. C. M. 1947, to provide for the disqualification of district judges in civil actions and proceedings; prescribing grounds and procedure for disqualification; providing for assumption of jurisdiction by other district judges within the same judicial district; providing and limiting time during which disqualification may be had; and repealing all other acts and parts of acts in conflict herewith."	353, 358, 561, 590, 616, 760.
96	Introduced by Groff, Turnage, Dussault, Mahoney: A bill for an act entitled: "An act to amend Section 94-6913, R. C. M. 1947, relating to the	

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	disqualification of a district judge in criminal proceedings."	353, 358, 513, 543, 546, 569, 612.
97	Introduced by Melcher, O'Neill: A bill for an act entitled: "An act to amend Section 92-827, Revised Codes of Montana, 1947, relating to the record of proceedings before the Industrial Accident Board; relating to attorney fees; providing for the furnishing of a copy thereof to the claimant without cost on appeal to the District Court; and providing for the furnishing by the board to indigent claimants of a transcript on appeal to the Supreme Court; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	333, 334, 486, 500, 518, 608.
98	Introduced by Melcher, O'Neill: A bill for an act entitled: "An act amending the Workmen's Compensation Act of the State of Montana, to be numbered and designated as Section 92-709.1, Revised Codes of Montana, 1947, relating to an election of remedies by an injured claimant when he shall have sustained injuries to or loss of a specified member of his body compensable under the provisions of Section 92-709, Revised Codes of Montana, 1947, and allowing him to proceed under the provisions of Section 92-703, Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith."	443, 445, 506.
100	Introduced by Hibbard, Rieder, Groff: A bill for an act entitled: "An act to permit the Montana Fish and Game Commission to plan and develop outdoor recreational resources in the state, which authority shall permit receiving and expending funds including federal grants for this purpose; creating an outdoor recreation advisory and planning committee; providing that the act is effective on passage and approval."	206, 207, 573, 595, 617, 667.
102	Introduced by Hilling, Brenner, Hauk: A bill for an act entitled: "An act amending Section 84-406, R. C. M. 1947, to provide livestock being fed in feeding pens or enclosures may be assessed on an average inventory basis rather than the fixed assessment date of the first Monday in March."	262, 263, 505, 510, 537, 576.
103	Introduced by Huntley, Cotton, O'Neill. A bill for an act entitled: "An act providing that in damage actions any insurer who has an interest in the outcome may be made a party defendant within the terms and limits of the policy; permitting direct action against the insurer; repealing all acts or parts of acts in conflict herewith; and providing an effective date."	842.
104	Introduced by Gerard, Balgord, Hibbard: A bill for an act entitled: "An act amending Section 89-	

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	103, R. C. M. 1947, to provide for an increase in the membership of the State Water Conservation Board; and providing for compensation for the services of the appointed members of said board in the amount of twenty-five dollars (\$25.00) per day."	301, 302, 592, 621, 634, 670, 679, 680, 807, 808, 812, 842.
105	Introduced by Gerard, Balgord, Hibbard: A bill for an act entitled: "An act creating the office of director of the State Water Conservation Board; providing for the appointment of the director of the State Water Conservation Board by the Governor; providing for the term of office, duties of the director of the State Water Conservation Board and limitations of such duties; amending Section 89-103, R. C. M. 1947, to provide for the director of the State Water Conservation Board to be a member of said board; and providing that nothing herein contained shall impair the lawful obligations of the State Water Conservation Board."	324, 325, 593, 621, 635, 670, 679, 680, 808, 812, 842.
106	Introduced by Gerard, Balgord, Hibbard: A bill for an act entitled: "An act repealing Sections 81-2006, 81-2008, 81-2010, 81-2012, R. C. M. 1947, thereby abolishing the office of State Engineer; amending Sections 81-2007, 81-2009, 89-2018, 81-2106, 81-2108, 81-2112, 81-2125, 82-3001, 89-702, 89-847, 89-848, 89-849, 89-851, 89-907, 89-908, 89-909, 89-912, 89-914, 89-1201, 89-2901 and 89-103, R. C. M. 1947, to provide for the transfer of certain duties of the State Engineer to the director of the State Water Conservation Board; providing for the transfer of the books and records and funds of the office of the State Engineer to the State Water Conservation Board; and providing that nothing in this act contained shall impair the obligations of the State of Montana under the Yellowstone River Compact or the obligations of the State of Montana, the Carey Land Act Board or the State Water Conservation Board contracted prior to the effective date of this act."	324, 325, 592, 620, 621, 635, 670, 679, 680, 809, 812, 842.
107	Introduced by Gerard, Balgord, Hibbard: A bill for an act entitled: "An act to amend Sections 89-301, 89-302, 89-303, 89-304, 89-305, 89-306, 89-307, 89-308, and 89-309, R. C. M. 1947, to change the designation of the State Planning Board to the Montana Development Commission; to provide that the Montana Development Commission shall be appointed by the Governor; to prescribe the term of office, compensation, purpose and duties of the Montana Development Commission; to provide that the records, books, funds and materials of the State Water Conservation Commission con-	

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	cerning the State Planning Board shall be transferred to the Montana Development Commission and to provide that the Montana Development Commission shall assume all of the duties and obligations held by the State Planning Board, and repealing all acts and parts of acts in conflict herewith."	426.
109	Introduced by Lehrkind, Dussault, Groff, Brenner, Hilling, Cotton: A bill for an act entitled: "An act relating to the acquisition, erection, equipment, enlargement and improvement of housing and other revenue-producing facilities at units of the University of Montana and the borrowing of funds therefor by the Regents by the issuance and sale of negotiable bonds and other securities and the making of purchases on time, payable solely from net income from rents and board, receipts from charges, admissions or fees for the facilities and gifts, contributions and grants of funds, without obligating the State of Montana or using state funds except as provided, and the provision of security for such borrowing, and the refunding of outstanding obligations; amending Sections 75-216, R. C. M. 1947, enacted as Section 1, Chapter 252, Laws of 1963; 75-218, R. C. M. 1947, enacted as Section 3, Chapter 252, Laws of 1963; and providing an effective date."	475, 476, 589, 627, 638, 639, 768.
111	Introduced by Thiessen, O'Neill, Cumming, Cotton: A bill for an act entitled: "An act relating to the licensing of a day care facilities for children."	353, 358, 564, 595, 596, 616, 768.
112	Introduced by Hafferman, O'Neill: A bill for an act entitled: "An act to amend Section 26-114, R. C. M. 1947, as amended, by providing for the appointment of such employees of the State Fish and Game Commission to act as ex-officio State Fish and Game Wardens as the director, with the approval of the commission, shall appoint."	246, 247, 573, 595, 618, 667.
113	Introduced by Keller, McKenna, Moberly, Anderson, Cumming: A bill for an act entitled: "An act to authorize counting ballots before the polls are closed; and amending Section 23-601, R. C. M. 1947."	333, 334, 552.
114	Introduced by Bentz, Holt, MacDonald, Brenner, Melcher, Mathers: A bill for an act entitled: "An act authorizing the State Fish and Game Commission to issue special nonresident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses; containing an expiration date."	206, 260, 272, 297, 360.

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115	Introduced by Mahoney: A bill for an act entitled: "An act to amend Section 68-1101, R. C. M. 1947, relating to the benefits payable upon the death of members of the Public Employees' Retirement System, to provide that a member's nominated beneficiary need not have an insurable interest in the member's life to qualify for payment of the death benefit."	262, 263, 513, 543, 550, 612.
118	Introduced by Gerard, Mackay: A bill for an act entitled: "A bill for an act providing for elections in towns having population of less than one thousand five hundred by the last completed United States census; providing for biennial election of town officers of such towns and the date thereof; providing for the nomination of candidates for the offices to be filled at such election; providing for notices of said elections, appointment of judges and clerks for such elections and the hours of opening the polls at such elections; providing the manner in which poll lists shall be maintained and votes counted at such elections; providing the manner of canvassing votes and issuance of certificates of election at such elections; providing that the registration of electors shall be unnecessary at such elections; providing for challenges to persons offering to vote and punishment for a false swearing at such elections; providing for payment of judges of the election; providing that all acts or parts of acts inconsistent herewith shall be deemed repealed or amended to the extent necessary to implement this act; and providing that this act shall be in full force and effect from and after its passage and approval."	280, 282, 564.
119	Introduced by Hibbard, Mackay: A bill for an act entitled: An act relating to state fiscal procedures and certain funds and accounts; amending Sections 84-1812(1), 81-1502, 43-803, 46-1107 and 59-1106, R. C. M. 1947; and repealing Section 84-1812(2), R. C. M. 1947."	353, 358, 641, 678, 704, 763, 764, 769, 772, 809.
120	Introduced by Siderius, MacDonald, Hafferman, McKenna, Kafka, Reardon, Davis: A bill for an act entitled: "An act to amend Section 87-117, Revised Codes of Montana, 1947, increasing members and establishing qualifications for members of the Unemployment Compensation Commission and providing an effective date."	475, 477, 586, 619, 625, 636, 760.
122	Introduced by Brownfield, Cumming: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to the Montana Constitution relating to the apportionment of the Legislative Assembly; amend-	

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	ing Sections 2 and 3, Article VI; and repealing Sections 4 and 45, Article V, and Sections 4, 5 and 6, Article VI."	670, 672, 792, 798, 800, 806, 811.
124	Introduced by Reardon, Lehrkind, Ullom, Davis: A bill for an act entitled: "An act to amend Sections 87-106 and 87-148, R. C. M. 1947, which sections are a part of the Unemployment Compensation Law; by limiting benefit disqualifications of retired individuals to those entitled to receive retirement compensation in excess of one hundred dollars per month; by excluding securities salesmen paid solely by commission from the definition of covered employment."	280, 283, 506, 511, 538.
125	Introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to establish a stable and uniform basis for interstate cooperation to provide a means to speed up the development and adoption of uniform standards for new or improved automotive safety equipment and to be known as the vehicle equipment safety compact; setting forth the basic purposes of the compact; defining certain terms used in the act; establishing a vehicle equipment safety commission and outlining the composition, duties and responsibilities of such commission; authorizing commission to establish salaries and retirement system for full time employees; providing that commission will have an appointed commissioner from each party state with commission business expenses to be paid by compact commission; empowering commission to carry on 'library type' research but prohibiting other type research and testing; authorizing commission to issue rules and regulations embodying performance requirements for items of equipment after conducting a needs study, publishing report of such study and holding hearings; providing that party states are not obligated to adopt rules, regulations or codes of commission but must consider them; providing that official adoption of rules, regulations or codes of the commission shall require affirmative action by the Legislature of the State of Montana before such rules, regulations or codes shall be effective in Montana; requiring commission to submit to the Budget Director of Montana the budget of the commission, the costs of which are to be apportioned among the member states on the basis that each member state contribute equal monies for one-third (1/3) of the total commission budget and that the remainder of the budget be apportioned according to the number of motor vehicles registered in the party state; requiring that commission adopt rules and regulations to minimize conflicts of interest; authorizing commission to establish advisory and technical committees; providing	

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	for entry into and withdrawal from compact; providing for construction and severability of act; repealing all acts or parts of acts in conflict herewith."	404, 405, 513, 543, 546, 569, 612.
126	Introduced by McDonnell, MacDonald, Keller: A bill for an act entitled: "An act amending Sections 46-2102 and 46-2104, R. C. M. 1947, providing that in order to defray the expense of the protection of sheep against depredations peculiar to such animals the board of county commissioners of any county shall have the power to require all owners or persons in possession of any sheep, coming one year or over, in the county on the regular assessment date of each year to pay a license fee of not exceeding fifteen cents (15¢) per head of sheep so owned or possessed by him in the county."	246, 247, 505, 510, 511, 516, 540, 576, 768.
127	Introduced by O'Neill, Holt, Huntley, Hauk: A bill for an act entitled: "An act to define long-term care facility for ill, infirm or aged persons; providing for inspection, licensing and regulation of such facilities by the State Board of Health; providing for establishment of standards for physical plant, staff and operation of such facilities; providing procedures for issuance, denial or revocation of license and administrative and judicial review thereof; making unlicensed operation of such facility unlawful and providing penalties therefor; providing an advisory council to assist the State Board of Health; providing for continuation of existing regulations until regulations under this act are adopted, published and distributed; providing a severability clause; and repealing Sections 69-2401, 69-2402, 69-2403, 69-2404, 69-2405, and 69-2406, R. C. M. 1947."	333, 334, 512, 543, 548, 645.
128	Introduced by O'Neill, Reardon, Davis, Kafka, Dus-sault, Cumming, Moritz, Killenbeck: A bill for an act entitled: "An act requiring a test for phenylketonuria to infant children and empowering the State Board of Health to adopt necessary rules and regulations."	230, 231, 509, 543, 547, 608.
130	Introduced by Harris, Hilling, O'Neill: A bill for an act entitled: "An act for the prevention, control and treatment of venereal diseases; providing for powers and duties of state, county and local boards of health, physicians and other persons; providing for the methods of control, prevention and treatment of venereal diseases; and repealing Sections 69-1101, 69-1102, 69-1103, 69-1104, 69-1105, 69-1106, 69-1107, 69-1108, 69-1109, 69-1110, 69-1111, 69-1112, 69-1113, 69-1114, 69-1115, 69-	

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	1116, 69-1117, 69-1118, 69-1120, and 69-1121, R. C. M. 1947."	246, 247, 509, 543, 548, 608.
131	Introduced by Michels, Moritz: A bill for an act entitled: "An act to amend Section 53-707, R. C. M. 1947, pertaining to proportional registration of fleet vehicles by providing for payment of certain license fees and taxes and amending Section 53-712, R. C. M. 1947, pertaining to the fee formula by adding property taxes thereto and amending Section 53-713, R. C. M. 1947, pertaining to registration of proportionally registered vehicles adding payment of property taxes as a requirement thereof."	246, 247, 490, 510, 511, 515, 539, 576.
132	Introduced by Michels, Moritz: A bill for an act entitled: "An act for the assessment and collection of personal property taxes on proportionally registered interstate motor vehicle fleets; providing a formula for computing a state-wide average county mill levy; and providing the method for the distribution of this tax to the counties."	230, 231, 490, 510, 511, 515, 539, 576.
133	Introduced by Brenner, Bentz, Reardon, Melcher, Mathers, Rieder, Beck, Hibbard, Hilling: A bill for an act entitled: "An act to provide for maintenance of frontage roads and amending Section 32-2002 to define 'frontage road'."	404, 405, 490, 500, 517, 576.
134	Introduced by Nees, Lehrkind, James, Brenner, Goodwin, Thomas: A bill for an act entitled: "An act to amend Section 84-202 of the Revised Codes of Montana of 1947, relating to exemptions from taxation by defining the term 'institution of purely public charity' to include organizations owning and operating for the care of the retired or aged or chronically ill which are not operated for gain or profit; repealing all acts or parts of acts in conflict herewith; and providing an effective date."	324, 325, 505, 510, 511, 516, 541, 576.
135	Introduced by Mackay, Graham: A bill for an act entitled: "An act relating to the formation of a cattle protective district within any county in the State of Montana and providing for following words and punctuation 'excepting therefrom cities of designated population and counties wherein said cities are located'."	246, 247, 505, 510, 511, 516, 540, 576.
137	Introduced by O'Neill: A bill for an act entitled: "An act amending Section 69-3203, R. C. M. 1947, to permit the State Board of Health to provide	

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	services to children afflicted with or suffering from cystic fibrosis."	230, 231, 509, 543, 547, 608.
138	Introduced by Rostad, Keller, McDonnell, Nixon, Groff, Breen, Holt, Bentz, Beley, Hafferman, Graham, Hilling: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 5, Article XVI of the Constitution of Montana removing the prohibition against the county treasurer succeeding himself in office."	404, 405, 612.
139	Introduced by Reardon: A bill for an act entitled: "An act to amend Section 66-2405, Revised Codes of Montana, 1947, by increasing examination fees and renewal fees for state master and journeyman plumbers licenses."	426, 427, 611, 625, 636, 760.
140	Introduced by Groff: A bill for an act entitled: "An act declaring it unlawful to ship or take out of state any aquatic insects for speculative purposes, for market or for sale."	246, 248, 279, 303, 316, 360.
141	Introduced by Lehrkind, Hibbard, Goodwin: A bill for an act entitled: "An act to amend Sections 87-103, 87-104, 87-106 and 87-109, R. C. M. 1947, which sections are a part of the unemployment compensation law; by providing for new bracketing in the determination of high-quarter wages in the benefit schedule and increasing minimum qualifying wages; increasing the maximum weekly benefit amount; reducing duration by the number of weeks equal to the number of weeks of disqualification; increasing the disqualification for leaving work without good cause attributable to the employment; increasing the maximum employer tax rate from 2.7 per centum to 3.1 per centum by adding new individual tax rates of 2.9 per centum and 3.1 per centum; limiting the tax rate upon new employers to 2.7 per centum for five years unless benefit payments charged to any such employer's account exceed his tax contributions; requiring notice to employer of benefit claim before charging his account; and providing effective dates."	488.
142	Introduced by Hilling: A bill for an act entitled: "An act giving first class counties an option to establish an election office and appoint an election officer and necessary assistants to take the place of the county clerk on all election duties. Repealing all acts in conflict herewith and providing that this act be effective from and after its passage and approval."	246, 248, 592.

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143	Introduced by Rieder: A bill for an act entitled: "An act to amend Section 75-4230, R. C. M. 1947, as amended by Chapters 21, 162 and 267, Session Laws of Montana, 1963, authorizing the attendance of high school pupils at high schools outside of the county of their residence either within or without the state upon approval of the county superintendent of schools; providing for the procedures relative thereto and excepting high school pupils where bus transportation is provided within one (1) mile of the pupil's residence; and providing for an effective date."	476, 477, 612.
144	Introduced by Gerard, McGowan, Balgord, Brenner, Hauk, Graham: A bill for an act entitled: "An act amending Section 89-102(b), R. C. M. 1947, to enlarge the scope of State Water Conservation Board purposes to allow construction of flood prevention, drainage, fish and wildlife and recreation projects; development of power; amending Section 89-102 (c), R. C. M. 1947, to allow the State Water Conservation Board to calculate the value of public benefits as a non-reimbursible item in determining the cost of construction; and amending Section 89-102 (d), R. C. M. 1947, to include drainage districts and flood control districts as owners."	301, 302, 560, 584, 598, 645.
146	Introduced by Mahoney, Huntley: A bill for an act entitled: "An act amending Sections 92-1311 and 92-1313, R. C. M. 1947, relating to the Occupational Disease Act of Montana, payment of compensation, exceptions and limitations, and notice of disability or death; to except therefrom disability or death due to X-ray and ionizing radiation."	353, 358, 506, 510, 537.
149	Introduced by Rieder, Cotton, Hilling, Thiessen, Thomas: A bill for an act entitled: "An act to provide for the creation of a school district within an existing school district by a licensed non-sectarian child institution for the education of children if said procedure is acceptable to the existing school district; providing for the creation and acceptance and the operation of the newly created school district; defining licensed non-sectarian child care institution; providing for the expansion of said school district and the attendance of pupils and designating students who shall be part of newly created school district; and providing for an effective date."	262, 263, 552, 562, 577, 612.
150	Introduced by Turnage, Dussault, Groff: A bill for an act entitled: "An act pertaining to the State Milk Control Board; defining the powers of the State Milk Control Board to fix distributor	

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	and dealer milk prices; changing the definition of milk; safeguarding the use of manufacturing milk; providing for the protection of producer payments while official orders are under appeal; and amending Sections 27-401, 27-402, 27-403, 27-405, 27-406, 27-407, 27-414, 27-418, and 27-428, R. C. M. 1947."	476, 477, 574, 596, 610, 631, 760.
153	Introduced by McGowan, Michels, DeWolfe, Nees, Mahoney, Moritz, Cole: A bill for an act entitled: "An act authorizing and directing the State Highway Commission to establish temporary and permanent ports of entry and checking stations."	443, 445, 513, 543, 549, 608.
154	Introduced by Edwards: A bill for an act entitled: "An act concerning the preference to certain residents when contracts are awarded by certain public agencies; and amending Sections 82-1925 and 82-1926, R. C. M. 1947."	353, 358, 580, 621.
155	Introduced by Kafka, Hafferman, Ullom, Huntley, O'Neill, Groff, Hibbard: A bill for an act entitled: "An act to amend Section 26-105, R. C. M. 1947, providing an increase in the total annual amount of per diem allowed for the members and chairman of the Montana Fish and Game Commission."	216, 218, 573, 595, 617, 667.
156	Introduced by Kafka, Huntley, O'Neill, Beck, Hibbard: A bill for an act entitled: "An act to provide for the issuance of twenty dollar (\$20.00) nonresident bear licenses by the Montana Fish and Game Commission."	206, 573, 595, 596, 619, 632, 667.
157	Introduced by Cotton, Harris, Hafferman: A bill for an act entitled: "An act amending Section 75-3612, R. C. M. 1947, relating to the foundation program; providing for a minimum budget for an elementary school not approved as an isolated school; providing for the financing of such budget; and providing an effective date."	333, 334, 507, 511, 539, 576.
158	Introduced by Cotton: A bill for an act entitled: "An act to authorize school boards or trustees to provide transportation for pupils living one or more but less than three miles from school; providing standards for vehicles and drivers; and providing a fund to account for moneys collected and disbursed under the act."	280, 283, 592, 619, 634, 760.
168	Introduced by Graham, James, Cotton: A bill for an act entitled: "An act requiring two red and two amber flashing lights on the front and rear of each school bus; providing that amber lights shall be actuated approximately five hundred feet before a school bus is stopped to receive or discharge school children; and amending Sections	

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	32-21-132, 32-2197, 32-2198, and 75-3308, R. C. M. 1947."	443, 445, 588, 596, 619, 632, 670, 680, 755, 756, 776, 780, 781, 811.
169	Introduced by Dussault: A bill for an act entitled: "An act to amend Section 10-622, Revised Codes of Montana, 1947, relating to the appointment, removal and salaries of probation officers for the juvenile departments of district courts in the State of Montana; providing for salary increases and repealing all acts and parts of acts in conflict herewith."	246, 248, 486, 495, 503, 576.
170	Introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to be known as the Montana Highway Code, for the codification and general revision of the laws pertaining to highways, including planning, construction, and maintenance; amending Sections 16-1004, 16-2008, 16-2010, 16-2011, 16-3302, 53-122, 84-1813, 94-3202, and 94-3565, R. C. M. 1947, and repealing Sections 16-1004.1, 16-1118, 16-1127, 16-1128, 16-2009, 16-2201 through 16-2204, 16-3311, 16-3312, 32-102 through 32-107, 32-201 through 32-208, 32-302 through 32-314, 32-316, 32-401 through 32-413, 32-415, 32-416, 32-501 through 32-507, 32-509 through 32-526, 32-601, 32-602, 32-701 through 32-711, 32-713 through 32-715, 32-901 through 32-905, 32-1002 through 32-1010, 32-1012 through 32-1014, 32-1016, 32-1301, 32-1601 through 32-1610, 32-1613 through 32-1618, 32-1620, 32-1622 through 32-1626, 32-1801 through 32-1804, 32-1901 through 32-1915, 32-2001 through 32-2010, 53-615 through 53-619, 53-621 through 53-623, 53-628 through 53-631, 53-634 through 53-639, 53-643, 84-1812(1), 84-1812(2), 84-1815, 84-1817, 89-821, 89-822, and 94-3201, R. C. M. 1947; providing for a savings clause and providing for the effective date of this act."	443, 445, 627, 638, 760.
171	Introduced by Groff, DeWolfe, Cumming, McGowan, Mackay, O'Neill, Mathers, Brownfield: A bill for an act entitled: "An act to amend Section 81-1715, R. C. M. 1947, to provide for the re-leasing of oil and gas leases expiring or terminating for any cause by advertising the same for sale at public auction; providing for preferential rights of prior lessee on lands where oil or gas has been produced; repealing all acts and parts of acts in conflict herewith; and providing an effective date for this act."	262, 263, 551, 562, 577, 612.
172	Introduced by Groff, DeWolfe, Cumming, McGowan, Mackay, O'Neill, Mathers, Brownfield: A bill for an act entitled: "An act to amend Section 81-1704, R. C. M. 1947, to provide for the rate and	

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	time of royalty payment and the effect thereof, for gas not sold or used off the premises; repealing all acts or parts of acts in conflict herewith; and providing an effective date for this act."	262, 263, 552, 562, 577, 612.
173	Introduced by Groff, DeWolfe, Cumming, McGowan, Mackay, O'Neill, Mathers, Brownfield: A bill for an act entitled: "An act to amend Section 81-1702.2, Revised Codes of Montana, 1947, which provides for the grounds upon which the State Board of Land Commissioners has power to terminate oil and gas leases issued by it; providing that said Section 81-1702.2 shall not apply to oil and gas leases hereafter issued; repealing all acts and parts of acts in conflict herewith; and providing for the effective date of this act."	262, 264, 551, 562, 563, 568, 575, 576, 610, 624, 635, 760.
176	Introduced by Groff: A bill for an act entitled: "An act to establish presumptions and rules to aid in determining the resident status of students attending the University of Montana for tuition and fee purposes and providing an effective date."	404, 405, 560, 584, 645.
177	Introduced by Groff: A bill for an act entitled: "An act providing for transfer of title of lands known as the Lubrecht Forest from the State of Montana to the Montana State University Foundation, and directing the State Land Commissioner to convey the same by April 15, 1965."	324, 325, 669.
178	Introduced by Dussault, McDonnell: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Constitution relating to the custody and investment of public funds and removing restrictions on the permissible types of investments for moneys in the custody of a public agency by amending Section 3, Article XI of the Constitution of Montana and repealing Section 8, Article XXI of the Constitution of Montana."	444, 446, 591, 634, 645.
179	Introduced by Mahoney, Mathers, Cotton, Hafferman, Beley: A bill for an act entitled: "An act enabling the State of Montana to accept federal facilities, installations, lands or properties; providing for an effective date."	404, 406, 586, 619, 632, 760.
180	Introduced by Thiessen, Michels: A bill for an act entitled: "An act authorizing school districts adjoining another state to contract with school districts in the neighboring state for the joint erection, operation and maintenance of school facilities for both districts; providing for the financing of such joint facilities; and providing	

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	for the approval of contracts for such joint facilities by the electors of the school district.".....	333, 334, 588, 619, 633, 667.
181	Introduced by Turnage: A bill for an act entitled: "An act amending Section 61-212, R. C. M. 1947, relating to the inheritance rights of an adopted child, his adoptive kindred, and his natural kindred."	246, 248, 513, 543, 549, 608.
182	Introduced by Rieder, Beck, Davis: A bill for an act entitled: "An act providing for payments by the state to school districts if children of a state employee who resides on the property of a state institution attend school in the district."	324, 325, 547, 571, 612.
184	Introduced by McGowan: A bill for an act entitled: "An act to amend Section 75-3612, R. C. M. 1947, relating to the expenditure of state equalization aid by school districts, to provide that the payment of the employer's tax established by the Federal Social Security Act will be made from state equalization aid moneys."	404, 406, 612, 625, 636, 768.
185	Introduced by Melcher, Cotton: A bill for an act entitled: "An act to amend Section 75-3407, R. C. M. 1947, to increase the schedule of rates to be paid by school boards or trustees to parents or guardians of children eligible for transportation to and from school in lieu of furnishing bus transportation; to increase the maximum that may be paid in situations where the schedule of rates may be altered due to isolation which subjects parents or guardians to extraordinary financial or physical hardship; and providing an effective date."	426, 427, 612.
186	Introduced by Kafka, Reardon, Mathers, Siderius, Killenbeck, Cotton, Thiessen, Harris, Edwards, Groff, Michels, Davis: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana an amendment to Section 5 of Article XIII of the Constitution of the State of Montana relating to the amount which a county can become indebted without approval of a majority of the electors thereof."	476, 477, 591.
187	Introduced by Reardon: A bill for an act entitled: "An act relating to Occupational Disease Compensation Act, amending Section 92-1304, Revised Codes of Montana, adding to the list of compensable diseases specified."	404, 406, 506, 510, 537, 576.
189	Introduced by Melcher, Manning: A bill for an act entitled: "An act authorizing two or more counties to construct, purchase, lease, equip and op-	

No.	Title of Bill	Page
	erate a joint county hospital or nursing home for the aged; providing definitions."	333, 334, 532, 546, 570, 612.
190	Introduced by Reardon: A bill for an act entitled: "An act to amend Chapter 44 of Title 16, R. C. M. 1947, as amended, by adding Sections 16-4414 to 16-4418, both inclusive, R. C. M. 1947, relating to metropolitan sanitary and/or storm sewer districts; changes in the boundaries thereof; definition of an act defining what is an area polluting a water course; the establishment of rates, charges and rentals for the services and benefits of systems constructed by such districts, to provide for the operation and maintenance of such systems and for deficiencies in bond and interest accounts of district funds; the creation of reserve funds to provide for such deficiencies; and the validation of actions and proceedings heretofore taken in the establishment of such districts; providing an effective date."	476, 559, 584, 598, 645.
191	Introduced by Reardon, Harris, O'Neill, Cumming, Hilling: A bill for an act entitled: "An act known as the Montana Air Pollution Control Act; declaring air pollution a public nuisance; declaring policy; defining terms; creating an air pollution control commission and providing for its organization, terms of members, compensation and expense; providing for appointment of a secretary thereof; fixing the duties and powers of said commission and of its secretary; providing for adoption of rules and regulations by the commission and for enforcement thereof and providing for determination of the validity thereof; providing penalties; providing for investigations of violation of the act and rules and regulations thereunder; providing for hearings and notices by the commission; providing for appeals from determinations by the commission or secretary; permitting variances and exemptions from the act; providing for issuance of permits; providing for appeals to the district courts, and containing a severability clause."	444, 446, 771.
192	Introduced by Melcher, Lehrkind: A bill for an act entitled: "An act to encourage banks to loan money to students for the purpose of obtaining an education."	333, 334, 552, 562, 568, 584.
198	Introduced by Turnage: A bill for an act entitled: "An act amending Sections 91-4415 and 91-4417, R. C. M. 1947, providing for limitations on liens for inheritance tax."	246, 248, 486, 495, 502, 576.
199	Introduced by Turnage: A bill for an act entitled: "An act providing that a lien of attachment on	

No.	Title of Bill	Page
	real property may be released by the clerk of the court where no action has been taken to foreclose such lien for a period of five years."	246, 248, 486, 495, 502, 576.
200	Introduced by Cotton, Thiessen, McDonnell, Rieder, Harris, James, Lehrkind: A bill for an act entitled: "An act relating to the school foundation program; providing for changes in financial schedules for the maximum general fund budgets for school districts and county high schools; providing for the financing of such budgets; removing requirements for schedule revision; amending Sections 75-1713.1, 75-3616, 75-3619, 75-3706, 75-4516.1, and 75-4518.1, R. C. M. 1947; containing a repealing clause; and providing an effective date."	353, 358, 560, 584, 609, 618, 645.
202	Introduced by MacDonald, Huntley, Kafka, Cotton, Mahoney, Thiessen, Dussault, Michels: A bill for an act entitled: "An act to amend Sections 14-502, 14-503, and 14-530, R. C. M. 1947, to define the purpose for which a cooperative corporation may be organized, the powers of such a corporation, and to define 'rural areas.'"	476, 477, 553, 568, 578, 612.
204	Introduced by Melcher: A bill for an act entitled: "An act providing for continuity in the board of trustees when it is necessary to temporarily move the site of a school house from one common school district to another common school district within the high school district; amending Section 75-4601, R. C. M. 1947."	404, 406, 560, 584, 598, 645.
207	Introduced by Hilling, Lehrkind: A bill for an act entitled: "An act recognizing the existence of a continuing public demand for student and faculty housing, residence halls, and food service facilities at the several units of the University of Montana and the attendant delay, expense and limitations in providing the same through state construction; authorizing the State Board of Land Commissioners, upon the recommendation of the Board of Regents of the University of Montana, to lease state owned lands for the erection, maintenance and operation of such improvements; providing for the control, supervision and regulation thereof by the said Board of Regents; and providing that such improvements shall be, upon expiration of the term of lease, the property of the State of Montana."	280, 283, 589, 708.
208	Introduced by Cotton: A bill for an act entitled: "An act to amend Sections 75-1716, 75-1719, 75-1720, 75-4521, 75-4524 and 75-4525, Revised Codes of Montana, 1947, relating to emergency budgets of school districts and high schools; and containing a repealing clause."	333, 335, 507, 511, 538, 608.

No.	Title of Bill	Page
209	Introduced by Cotton: A bill for an act entitled: "An act to amend Section 75-5003, R. C. M. 1947, relating to special education for mentally retarded and physically handicapped children; to provide for the use of existing classes in lieu of local provisions of special classes; and providing for the computation of state reimbursement for in-school programs approval by the State Superintendent of Public Instruction."	354, 358, 507, 516, 542.
211	Introduced by Rieder, Huntley, Melcher, Hafferman, Brenner: A bill for an act entitled: "An act to amend Section 26-202.1, R. C. M. 1947, relating to fish and game licenses, by deleting reference to bear in the resident game bird license, granting permission to hunt bear with all game animal licenses, and by restricting nonresident hunting of game animals to areas designated by the commission."	216, 218, 573, 596, 617, 760.
213	Introduced by Huntley, O'Neill: A bill for an act entitled: "An act to require defendants in damage actions to disclose the existence and terms of liability policies and to produce such policies for examination and copying; repealing all acts and parts of acts in conflict herewith."	444, 446, 561.
217	Introduced by Kafka, James: A bill for an act entitled: "An act to authorize the organization and consolidation of county water districts to include land in more than one county, and amending Section 16-4502, R. C. M. 1947, relating to organization of county water districts; Section 16-4503, R. C. M. 1947, relating to petition for creation of a county water district; Section 16-4504, R. C. M. 1947, relating to consideration of said petitions; Section 16-4505, R. C. M. 1947, relating to voting on said petitions; Section 16-4506, R. C. M. 1947, relating to election of directors of county water districts; Section 16-4507, R. C. M. 1947, relating to nomination and election of officers; Section 16-4508, R. C. M. 1947, relating to canvassing of returns; Section 16-4520, R. C. M. 1947, relating to publication of notice of election; Section 16-4527, relating to levy of water taxes; Section 16-4531, R. C. M. 1947, relating to additions to district; Section 16-4532, R. C. M. 1947, containing definitions; and Section 16-4533, R. C. M. 1947, relating to exclusion of territory from county water districts and providing for an effective date."	354, 359, 532, 546, 570, 645.
219	Introduced by McGowan, Turnage: A bill for an act entitled: "An act defining air pollution; declaring air pollution a public nuisance; and designating the State Board of Health of the State of Montana as the air pollution study and research agency for the receipt and administration	

No.	Title of Bill	Page
	of grants and gifts for air pollution research or survey programs."	444, 446, 771, 774, 778, 809.
220	Introduced by Melcher, Dussault, Brownfield, Beck, Jensen, Mathers: A bill for an act entitled: "An act to amend Section 72-123, R. C. M. 1947, to require approval of the Board of Railroad Commissioners prior to curtailment or discontinuance of freight service; providing for a hearing upon notice, introduction of the testimony, board's determination, appeal."	404, 406, 559, 575.
221	Introduced by Lehrkind, Manning: A bill for an act entitled: "An act to provide that state banks shall not be required to pay Montana corporation license tax until and unless said tax is required to be paid by national banks."	476, 477, 561, 590, 609, 611, 630, 631.
223	Introduced by Beley, Hafferman, Goodwin, McDonnell: A bill for an act entitled: "An act to amend Section 26-307, R. C. M. 1947, relating to waste of fish or game, hunting or fishing during closed seasons; providing for a penalty for killing more than one game animal of any one species in a licensed year unless authorized by the board of county commissioners; providing for a penalty for the taking, hunting, shooting, killing or capturing game animals or game birds or to fish during a closed season."	280, 283, 487.
224	Introduced by Kafka, Davis, Cotton, Huntley, Lehrkind, Moritz, Siderius, Dussault: A bill for an act entitled: "An act amending Section 11-602, R. C. M. 1947, relating to plats of cities and towns and outside of cities and towns and specifying what must be contained in said plats; and providing for an effective date."	354, 359, 509.
225	Introduced by MacDonald, Moritz, Manning: A bill for an act entitled: "An act relating to the registration of electors; to require the county clerk of each county to prepare a list of all persons residing in the county who have reached voting age since the last general election; and amending Sections 23-502, 23-503, 23-505 and 23-511, R. C. M. 1947."	476, 478, 552, 568, 578.
227	Introduced by Mahoney: A bill for an act entitled: "An act to amend Section 91-4704, R. C. M. 1947, relating to the restoration to capacity of declared insane or incompetent persons including veterans by judicial determination by verified petition; providing for a hearing and notice thereof to designated persons before a jury; setting out procedures for said hearing; requiring the county attorney to prepare and present petition to the district court of declared insane or incompetent veteran; and providing for an effective date."	280, 283, 580.

HOUSE JOURNAL

of the

Thirty-ninth Legislative Assembly

of the

State of Montana

FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 4, 1965

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Thirty-ninth Legislative Assembly of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of State of the State of Montana, who extended greetings to the assembly on behalf of the State of Montana.

The Secretary of State then announced the following temporary appointments: Father Emmett P. O'Neill of Helena, Montana, Temporary Chaplain; Mr. Si Emmons of Anaconda, Montana, Temporary Sergeant-at-Arms; Mr. Walter Marshall of Helena, Montana, Temporary Chief Clerk; Jeannette Blewett of Helena, Montana, Temporary Journal Clerk.

Posting of the Colors by Capt. William M. Liston and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the assembly followed.

Invocation was given by Father Emmett P. O'Neill.

The Chief Clerk called the roll, all members being present with the exception of William Garrison, Madison County, who was excused due to delay because of weather conditions.

Secretary of State Frank Murray introduced the Honorable Hugh Adair, Associate Justice of the Montana Supreme Court, who administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law, SO HELP ME GOD."

Thereupon, the House members, having presented their certificates of election, subscribed to the foregoing oath:

Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Wayrynen, Williams, Willits, Woodard, Zimmer.

The Secretary of State called for nominations for Speaker of the House of Representatives. Cerovski, Fergus County nominated Ray Wayrynen, Silver Bow County. Felt from Yellowstone nominated James P. Lucas, Custer County. Nominations were closed and the following votes were cast.

For Wayrynen: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Wayrynen, Willits, Zimmer. Total 56.

For Lucas: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 37.

Cerovski of Fergus County and Lucas of Custer County escorted the newly-elected Speaker, Ray Wayrynen to the rostrum, where he was formally introduced by the Secretary of State, and presented with the Speaker's gavel.

MOTIONS AND RESOLUTIONS

Cerovski of Fergus County moved that the House adopt as its House rules those recommended by the Legislative Council in their report No. 10, dated November 1964, more precisely referred to therein as Chapter 1, Chapter 7 and Chapter 8 of the House Rules: that said rules be inserted in the Journal in their entirety.

CHAPTER 4. ORDER OF BUSINESS

4-1. After prayer, roll call, and report on the journal, the order of business of the Senate and House of Representatives is as follows:

- (1) Communications and petitions
- (2) Reports of standing committees
- (3) Reports of select committees
- (4) Messages from the governor
- (5) Messages from the other house
- (6) Motions and resolutions
- (7) First reading and commitment of bills
- (8) Second reading of bills (committee of the whole)
- (9) Third reading of bills
- (10) Unfinished business
- (11) Special orders of the day
- (12) Announcement of committee meetings

To revert to or pass to a new order of business requires only a majority vote. Unless otherwise specified in the motion to recess, the house involved shall revert to order of business No. 1 when reconvening after a recess.

THIS IS A COMBINATION OF SR IX AND HR 21. The REQUIREMENT IN THE HOUSE RULE OF A TWO-THIRDS VOTE TO CHANGE THE ORDER OF BUSINESS WAS CHANGED TO A MAJORITY VOTE.

HOUSE RULES

CHAPTER 1. PRESIDING OFFICER—

DECORUM, ORDER AND DEBATE

H1-1. The house of representatives shall elect one of its members speaker. The house shall choose its other officers, and shall judge of the elections, returns, and qualifications of its members. (Montana Constitution, Art. V, Sec. 9)

THIS IS A NEW RULE.

H1-2. The house shall elect one of its members speaker pro tempore who shall perform all of the duties of the speaker in the absence of that officer, and on such other occasions as the speaker may request.

THE PROVISION FOR ELECTING THE SPEAKER PRO TEM IS NEW; THE DUTIES OF THE SPEAKER PRO TEM ARE A RESTATEMENT OF HR 3.

H1-3. No members shall speak for longer than one-half hour in debate on any one motion or question.

RESTATEMENT OF PART OF HR 22 (2).

H1-4. During committee reports the member reporting the measure under consideration from a committee may, if the measure is debated, open and close. If the debate extends beyond one day he may have one-half hour to close, even if he has used one-half hour in opening.

RESTATEMENT OF HR 22 (3).

H1-5. No member shall speak more than once on the same question without the unanimous consent of the house, unless he has proposed or introduced the matter under debate, in which case he may speak in reply after all members choosing to speak have spoken.

RESTATEMENT OF HR 22 (6).

CHAPTER 7. COMMITTEES

H7-1. The committee on rules and journal shall consist of the speaker and four members appointed by him. The speaker shall appoint other standing committees, select committees, and house membership on joint committees and conference committees. The standing committees of the house are as follows:

1. Affairs of Cities.
2. Agriculture and Irrigation.
3. Appropriations.
4. Bills.
5. Business and Industry.
6. Constitution, Elections and Federal Relations.
7. Education.
8. Fish and Game.
9. Highways.
10. Judiciary.
11. Labor and Compensation.
12. Legislative Administration.
13. Livestock and Ranges.

14. Public Health, Welfare and Safety.
15. Rules and Journal.
16. State Administration.
17. Townships and Counties.
18. Ways and Means.

The first named member of a committee is the chairman, and in his absence the next named member, and so on. No standing committee, except appropriations and education, may consist of more than 15 members.

RESTATEMENT OF HR 9.

CHAPTER 8. RULES AND JOURNAL

H8-1. (1) A motion to amend or adopt a rule of the house shall be referred to the committee on rules and journal, which shall report no later than the next legislative day. Unless recommended by the committee on rules and journal, no house rule shall be amended or adopted except by a two-thirds vote.

(2) A house rule may be suspended temporarily for a specified purpose by unanimous consent.

RESTATEMENT OF HR 58 AND THE SECOND PARAGRAPH OF HR 7.

H8-2. Mason's Manual of Legislative Procedure governs the proceedings of the house of representatives in all cases not covered by these rules.

RESTATEMENT OF HR 59 (1). MASON'S MANUAL IS SUBSTITUTED FOR ROBERTS RULES OF ORDER. HR 59 (2) IS OMITTED AS UNNECESSARY.

Aasheim of Sheridan moved for a ten minute recess. Motion carried. House was recessed until 12:47.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Cerovski of Fergus County repeated the previous motion regarding adoption of House Rules and that they be inserted in the Journal in their entirety. Motion carried.

A committee from the Senate consisting of Senators Mahoney, MacDonald and Brownfield were admitted and informed the House that the Senate was in session and ready for business, and sent greetings and best wishes. Committee left.

It was moved by Cerovski that the following Democratic nominees be elected as officers and attaches of the House of Representatives of the 39th Legislative Assembly:

Speaker Pro-Tem.....	Gordon Twedt
Majority Floor Leader.....	Charles Cerovski
Chief Clerk.....	Walter Marshall
Sergeant-at-Arms.....	Si Emmons
Chaplain.....	Father Emmett O'Neill

Motion carried.

It was moved by Cerovski, Fergus County that the House adopt the House and Senate Joint Rules as recommended by the Legislative Council in their report No. 10, dated November, 1964, and referred to therein as Chapters 1 through 9; that these rules be inserted in the Journal in their entirety. Motion carried.

JOINT RULES

CHAPTER 1. PRESIDING OFFICER—

DECORUM, ORDER AND DEBATE

1-1. The presiding officer of the senate is the president and the presiding officer of the house of representatives is the speaker. The presiding officer of each house shall take the chair on every legislative day at the hour to which that house adjourned at the last sitting. After call to order, prayer by the chaplain and roll call, a report on the journal for the preceding legislative day shall be given in the presence of a quorum, and each house shall proceed with the regular order of business.

RESTATEMENT OF HR 2 (1) AND SR II (2).

1-2. The presiding officer of each house shall preserve order and decorum, and in case of disturbance or disorderly conduct, may order the galleries or lobbies to be cleared.

RESTATEMENT OF HR 2 (2) AND SR II (3).

1-3. The presiding officer of each house has general control and direction of the hall, chamber, rooms, passages and corridors of the house over which he presides. Reporters on assignment in either house are subject to placement by the presiding officer.

RESTATEMENT OF SR II (5) AND HR 2 (3). THE LAST SENTENCE IS TAKEN FROM THE SENATE RULE.

1-4. The presiding officer of each house shall decide all questions of order, subject to an appeal by any member seconded by two other members. No member may speak more than once on an appeal without the consent of a majority of the house of which he is a member.

RESTATEMENT OF SR II (8) AND PART OF HR 2 (4). THE REQUIREMENT FOR TWO SECONDS FOR AN APPEAL REQUIRED BY THE HOUSE RULE WAS INCLUDED. THE REQUIREMENT FOR "PERMISSION" TO SPEAK MORE THAN ONCE HAS BEEN CLARIFIED TO MEAN WITH A "CONSENT OF A MAJORITY."

1-5. When a member desires to speak he shall rise and address the presiding officer and, being recognized, shall speak standing in his place unless the presiding officer grants permission to speak from some other place on the floor. When two or more members rise at the same time the presiding officer shall name the member who is to speak first.

RESTATEMENT OF SR XII (1), SR XII (2), HR 22 (1) AND PART OF HR 22 (2).

1-6. When a member has been called to order, he shall sit down until the presiding officer determines whether he is in order or not. If the member is called to order for words spoken in debate, the language excepted to shall be taken down in writing by the chief clerk or secretary.

RESTATEMENT OF HR 22 (5) AND PARTS OF SR XII (6) HR 22 (4). HR 22 (4) AND PARTS OF SR XII (6) RELATING TO PROCEDURES FOR APPEAL ARE OMITTED. APPEALS ARE COVERED BY PROPOSED JR 1-4.

1-7. Questions of privilege are: first, those affecting the collective rights, safety, dignity, and integrity of the proceedings of either house; and second, those affecting the rights, reputation and conduct of individual members of either house in their capacity as members. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

RESTATEMENT OF HR 8 AND SR XVI. THE PRECEDENCE OF PRIVILEGED QUESTIONS IS COVERED IN PROPOSED JR 5-2.

1-8. The presiding officer of each house, in the presence of the house over which he presides, after due notice and immediately after the title has been publicly read, shall sign the original and one copy of each enrolled bill originating in the house over which he presides. The fact of signing shall be at once entered upon the journal. At the time of signing, if a member signifies his desire to examine the bill he shall be permitted to do so. The bill shall then be sent to the other house where the same procedure shall be followed. (Based in part on Montana Constitution, Art. V, Sec. 27.)

THIS IS A CONSOLIDATION AND SIMPLIFICATION OF SR XXV (5), SR II (10), JR 12 AND JR 13.

1-9. The presiding officer of each house shall sign all payrolls and subpoenas approved or issued by the house over which he presides.

PROVISIONS TAKEN FROM SR II (11) AND PART OF HR 2 (4). "WARRANTS" WAS CHANGED TO "PAYROLLS" TO CONFORM TO PRACTICE.

1-10. (1) A communication or paper shall be addressed to the presiding officer, and shall bear the name of the person submitting it. When the reading of a paper is called for and a member objects, it shall be determined by a vote of the house without debate. This subsection does not apply to bills, or to communications from the governor or the other house.

(2) A paper for or against proposed legislation may not be placed on the desks of the members or circulated within the chamber unless the person responsible has signed it and has received permission from the chief clerk of the house or the secretary of the senate to distribute it in the house concerned.

RESTATEMENT OF HR 50, HR 52 AND SR XII (5).

CHAPTER 2. MEETINGS, QUORUMS AND ATTENDANCE

2-1. The chamber of the senate and the hall of the house of representatives shall be open from 8 o'clock a.m. until 11 o'clock p.m. each day during the session, unless by resolution of the senate its chamber, or by resolution of the house its hall, shall be closed.

SAME AS JR 1.

2-2. The hour of meeting of the senate is 10 a.m. unless otherwise ordered by the senate. The hour of meeting of the house of representatives is 10 a.m. unless otherwise ordered by the house.

COMBINES SR I AND HR 1 (2), EXCEPT THAT REFERENCE TO THE 2 P.M. MEETING TIME IN SENATE RULE IS DELETED.

2-3. Only the following persons may be admitted to the floor of the house of representatives or senate during sessions: executive officers, legislators, legislative employees, reporters, guests of members of the respective houses, and former members of the respective houses.

THIS IS A SIMPLIFICATION OF PART OF HR 54 AND SR VII (2).

2-4. Lobbying on the floor of the senate or house of representatives is prohibited during a session and within one-half hour prior to the commencement of a session.

THIS IS A RESTATEMENT OF THE LAST PARAGRAPH OF HR 54 WHICH PROHIBITS LOBBYING ON THE FLOOR OF THE HOUSE DURING A SESSION OR WITHIN ONE-HALF HOUR OF A SESSION. SR VI (11) PROHIBITS LOBBYING ON THE FLOOR OF THE SENATE AT ALL TIMES.

2-5. The sessions of each house and of the committees of the whole shall be open, unless the business is such as requires secrecy. (Montana Constitution, Art. V, Sec. 13)

SR XXII (1) RESTATES THIS CONSTITUTIONAL REQUIREMENT.

2-6. During the discussion of a motion to close the doors of either house to discuss business which may, in the opinion of that house, require secrecy, the presiding officer shall exclude all persons, except the members and the chief clerk or secretary. Every member and employee of such house shall keep secret all matters ordered to be kept secret.

THIS IS A SIMPLIFICATION OF SR XXII (2) AND HR 60.

2-7. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting. (Montana Constitution, Art. V, Sec. 14)

HR 56 RESTATES THIS CONSTITUTIONAL PROVISION.

2-8. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may prescribe. (Montana Constitution, Art. V, Sec. 10)

SR XI (2) AND SR XI (10) AND PART OF HR 23 (3) RESTATE THIS PROVISION. SOME DETAILS FOUND IN THESE RULES ARE OMITTED.

2-9. Unless he is excused, a member of the house or senate shall be present at every sitting of the house of which he is a member.

RESTATEMENT OF SR XI (1) AND PART OF HR 1 (1).

2-10. In the absence of a quorum, a majority of members present in either house may compel the attendance of absent members by ordering a call of the house of which they are members.

HR 23 (3) PROVIDES THAT IN THE ABSENCE OF A QUORUM "TEN MEMBERS, INCLUDING THE SPEAKER, IF THERE BE ONE" MAY COMPEL THE ATTENDANCE OF ABSENT MEMBERS. SR XI (3) PROVIDES THAT A MAJORITY OF A "LESS NUMBER THAN A QUORUM" MAY COMPEL THE ATTENDANCE OF ABSENT MEMBERS. SR XI (5) PROVIDES THAT THE PRESIDENT OF THE SENATE, IF LESS THAN A QUORUM IS PRESENT, MAY ISSUE PROCESS TO COMPEL THE ATTENDANCE OF ABSENT SENATORS.

2-11. If a quorum is present, five members of the senate may order a call of the senate, and fifteen members of the house of representatives may order a call of the house.

THIS IS A RESTATEMENT OF PARTS OF HR 23 (3) AND SR XI (7).

2-12. On a call of either house, a member who refuses to attend may be arrested by the sergeant-at-arms or any other person, as the majority of such members present shall direct. When the attendance of an absent member is secured after a call of either house, if the house of which he is a member refuses to excuse his absence, he shall not be paid any per diem during his absence and is liable for the expenses incurred in procuring his attendance.

THE FIRST SENTENCE IS A RESTATEMENT OF PARTS OF HR 23 (3), SR XI (5) AND SR XI (6). THE SECOND SENTENCE IS A RESTATEMENT OF SEC. 43-211, R.C.M. 1947, SR XI (4) AND PORTIONS OF SR XI (3).

2-13. During a call of either house, all business of that house shall be suspended. After a call has been ordered no motion is in order except a motion to adjourn or remove the call. The call may be removed by a two-thirds vote.

THE FIRST SENTENCE IS FROM HR 23 (3). HR 23 (4) PERMITS DISPENSING WITH THE CALL "UPON PROGRESS MADE, BY A MAJORITY VOTE;" HOWEVER, THERE SEEMS TO BE A CONFLICT IN THE SENATE RULES. SR XI (8) PROVIDES THE CALL MAY BE REMOVED (1) UPON THE MAJORITY VOTE AT ANY TIME AFTER THE DISPOSAL OF THE BUSINESS FOR WHICH THE CALL WAS MADE, OR (2) BY A MAJORITY VOTE TO DISPENSE WITH FURTHER SEARCH FOR ABSENTEES. HOWEVER, SR XI (9) PROVIDES THAT "WHEN THE CALL IS IN PROGRESS NO MOTION IS IN ORDER EXCEPTING THAT TO ADJOURN AS ABOVE GIVEN, AND THE CALL CAN ONLY OTHERWISE BE RAISED BY A TWO-THIRD VOTE OF THE MEMBERS OF THE SENATE." THE REQUIREMENT OF A TWO-THIRDS VOTE TO REMOVE THE CALL IS ADDED AS A DESIRABLE MEANS OF PROTECTING THE MINORITY.

CHAPTER 3. LEGISLATIVE EMPLOYEES

3-1. The legislative assembly shall prescribe by law the number, duties and compensation of the officers and employees of each house; and no payment shall be made from the state treasury, or be in any way authorized to any such person, except to an acting officer or employee elected or appointed in pursuance of law. (Montana Constitution, Art. V, Sec. 28)

THIS IS A NEW RULE.

3-2. Except as provided in Joint Rule 3-3 and Joint Rule 3-4, the committee on legislative administration of each house shall appoint the employees of each house, subject to the approval of the respective houses.

RESTATEMENT OF HR 10 (1).

3-3. The committee on legislative administration of each house shall appoint secretaries for standing or special committees on recommendation of the committee chairman, subject to the approval of the respective houses. A secretary for a standing or special committee is immediately responsible to the committee chairman, but when not occupied with the duties of the committee, a secretary of a committee of the house of representatives shall work under the direction of the chief clerk of the house, and a secretary of a senate committee under the direction of the secretary of the senate.

RESTATEMENT OF HR 10 (2), HR 10 (3) AND HR 17. SR VIII (3) PROVIDES FOR ELECTION OF CLERKS BY COMMITTEES WITH THE CONSENT OF THE SENATE.

3-4. The minority floor leader of each house may appoint a private secretary, who is responsible to him.

THIS IS A NEW RULE.

3-5. The secretary of the senate and chief clerk of the house of representatives are responsible to the presiding officers of their respective houses. Their duties are:

(a) To have custody of all records, bills, documents and other papers.

SR IV (2), HR 4 (1) AND HR 55 PROHIBIT THE WITHDRAWAL OF PAPERS FROM THE SECRETARY OR CLERK'S CUSTODY EXCEPT UNDER SPECIFIED CONDITIONS.

(b) To supervise the keeping of the journal, engrossing, and enrolling, and the handling of bills and resolutions.

SEC. 43-302, R.C.M. 1947, SR IV (1), SR IV (3), SR XXV (2) AND HR 4 (1).

(c) To deliver to the secretary of state at the close of each session, the journal, bill books and resolution books, and all copies of introduced and engrossed bills and joint resolutions.

PART OF SEC. 43-309, R.C.M. 1947 AND SR IV (6) REQUIRE DELIVERY OF "ALL BILLS AND PAPERS." THE PROPOSED RULE LIMITS THE MATERIAL TO THAT ACTUALLY DELIVERED TO AND USED BY THE SECRETARY OF STATE.

(d) To collect from the chairman or secretaries of all standing and special committees the minutes of such committees and deliver them to the state historical society.

THIS RULE FORMALIZES A PRACTICE OBSERVED BY MOST COMMITTEE CHAIRMEN, BUT WHICH IS NOT NOW REQUIRED BY RULE.

3-6. Journal clerks, bill clerks, engrossing and enrolling clerks, typists, and other employees responsible for legislative functions, except secretaries for standing or special committees, secretaries to presiding officers, and secretaries to majority and minority floor leaders, are immediately responsible to the secretary of the senate or the chief clerk of the house, subject to the general supervision of the presiding officer.

SR II (6), SR VII (1) PROVIDE FOR SUPERVISION OF EMPLOYEES BY THE PRESIDING OFFICER. R.C.M. 43-303 AND HR 4 (1) PROVIDE FOR SUPERVISION BY THE SECRETARY OR CHIEF CLERK.

3-7. The duties of the engrossing and enrolling clerks are:

(a) To engross or enroll all bills delivered to them within forty-eight hours after they have been received, unless further time is granted.

RESTATEMENT OF SEC. 43-308, R.C.M. 1947, SR VII (3).

(b) To correct clerical errors, with the consent of the secretary of the senate or chief clerk of the house of representatives, in any bill originating in the house by which they are employed. Clerical errors such as the following may be corrected:

- (i) errors in spelling
- (ii) errors in numbering sections
- (iii) adding or deleting underlining or lines through matter to be stricken
- (iv) material copied incorrectly from the most recent Revised Codes of Montana

The secretary of the senate and chief clerk of the house shall inform the principal sponsor of all such corrections. No bill shall be corrected after engrossment.

RESTATEMENT OF SR IV (4) AND HR 4 (2). THE PROVISION FOR NOTICE TO THE PRINCIPAL SPONSOR IS NEW.

3-8. (1) The sergeants-at-arms are responsible to the presiding officers of their respective houses. Their duties are:

(a) To maintain order under the direction of the presiding officer.

RESTATEMENT OF SEC. 43-305, R.C.M. 1947, HR 5, SR VI (2), SR VI (3).

(b) To execute commands and serve all processes.

RESTATEMENT OF SEC. 43-305, R.C.M. 1947, SR VI (5), SR VI (4), HR 5.

(c) To receive, distribute and have custody of supplies.

RESTATEMENT OF SR VI (7).

(d) To keep account for per diem and mileage of members and employees, and prepare and submit all claims for payment.

RESTATEMENT OF SEC. 43-305, R.C.M. 1947, SR VI (6). THE DUTY TO "PREPARE CHECKS" WAS CHANGED TO "PREPARE AND SUBMIT ALL CLAIMS" IN ACCORDANCE WITH CURRENT PRACTICES.

(e) To take an inventory at the close of each session of all furniture, fixtures, supplies and other property and turn such property over to the state controller for custody until the next session. One copy of the inventory shall be kept on file in the office of the sergeant-at-arms.

RESTATEMENT AND SIMPLIFICATION OF SECTIONS 43-315 AND 43-316, R.C.M. 1947, SR VI (8), SR VI (9), AND SR VI (10). MUCH DETAIL IS OMITTED.

(2) All expenditures of money appropriated for the operation of the legislative assembly must be approved by the committee on legislative administration of the house concerned.

SUBSECTION (2) IS A NEW RULE.

3-9. The assistant sergeant-at-arms, doorkeepers, watchmen, janitors, pages and other employees responsible for general housekeeping functions are immediately responsible to the sergeant-at-arms, subject to the general supervision of the presiding officer.

SECTIONS 43-305, 43-306 AND 43-307, R.C.M. 1947, PART OF HR 5, SR VI (1) AND SR VI (12) ALL RELATE TO THE SUPERVISORY POWERS OF PRESIDING OFFICERS OVER SERGEANTS-AT-ARMS AND OTHER EMPLOYEES, OR TO THE SUPERVISORY POWERS OF SERGEANTS-AT-ARMS OVER SUBORDINATE EMPLOYEES.

3-10. The duties of the chaplain of each house are to open each day's session with a prayer.

RESTATEMENT OF SR V AND HR 6.

3-11. The duties of the law clerks of each house are to draft legislation and perform legal research for members.

THIS RULE IS NEW.

3-12. An employee of either house is prohibited from lobbying as defined in Section 43-802 (1), R.C.M. 1947. However, an employee may testify before a committee of either house on the request of the committee. An employee violating this rule shall be discharged.

RESTATEMENT OF PART OF SR VII (1).

3-13. Disputes or complaints involving the competency or decorum of a legislative employee shall be referred to the committee on legislative administration of the house by which the employee is employed. The committee, in its discretion, may dismiss, suspend or retain the employee. The committee on legislative administration shall periodically review the roster of employees and shall dismiss surplus employees.

SR II (7) PROVIDES THAT THE PRESIDENT MAY REFER DISPUTES OR COMPLAINTS CONCERNING EMPLOYEES TO THE COMMITTEE ON EMPLOYMENT FOR FINAL DETER-

MINATION. HR 10 GIVES THE COMMITTEE ON LEGISLATIVE ADMINISTRATION THE POWER TO RECOMMEND THE DISMISSAL OF EMPLOYEES TO THE HOUSE.

CHAPTER 4. ORDER OF BUSINESS

4-1. After prayer, roll call, and report on the journal, the order of business of the senate and house of representatives is as follows:

- (1) Communications and petitions
- (2) Reports of standing committees
- (3) Reports of select committees
- (4) Messages from the governor
- (5) Messages from the other house
- (6) Motions and resolutions
- (7) First reading and commitment of bills
- (8) Second reading of bills (committee of the whole)
- (9) Third reading of bills
- (10) Unfinished business
- (11) Special orders of the day
- (12) Announcement of committee meetings

To revert to or pass to a new order of business requires only a majority vote. Unless otherwise specified in the motion to recess, the house involved shall revert to order of business No. 1 when reconvening after a recess.

THIS IS A COMBINATION OF SR IX AND HR 21. THE REQUIREMENT IN THE HOUSE RULE OF A TWO-THIRDS VOTE TO CHANGE THE ORDER OF BUSINESS WAS CHANGED TO A MAJORITY VOTE.

CHAPTER 5. MOTIONS

5-1. When a motion is made it shall be restated by the presiding officer, and, if requested by the presiding officer or a member, shall be reduced to writing and read aloud. A motion may be withdrawn by the member making it at any time before it is amended or voted upon.

RESTATEMENT OF PART OF HR 24 (1), HR 24 (2) AND SR XII (3). THE REQUIREMENT FOR A SECOND IN THE SENATE RULE IS OMITTED.

5-2. When a question is under debate no motion may be made except the following privileged and subsidiary motions which have precedence in the order listed:

- (1) To adjourn
- (2) For a call of the house
- (3) To recess
- (4) Question of privilege
- (5) To lay on the table
- (6) For the previous question
- (7) To postpone to a day certain
- (8) To refer or commit
- (9) To amend
- (10) To postpone indefinitely

RESTATEMENT OF HR 24 (3), PART OF HR 8, PART OF SR XVI (3), AND SR XII (7). HR 24 (4) IS OMITTED AS UNNECESSARY.

5-3. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

RESTATEMENT OF SR XVIII AND PARTS OF HR 24 (6) AND HR 48. THE FIRST PORTION OF HR 24 (6) IS OMITTED;

IT IS UNNECESSARY DETAIL AND IS COVERED IN MASON, SECTIONS 400 (3), 397 (5) AND 413 (4).

5-4. A member who voted on the prevailing side of a question may, on the day the vote was taken or on the next legislative day, move to reconsider the question. A motion to reconsider may not be withdrawn after such next legislative day without the unanimous consent of the house concerned, and thereafter any member may call it up for consideration; however, a motion to reconsider made after the fifty-fourth day of the session shall be disposed of when made. A motion to recall a bill from the other house constitutes notice to reconsider, and shall be acted on as a motion to reconsider. A motion to reconsider or to recall a bill from the other house may be made only under order of business No. 6, and under that order of business takes precedence over all motions except motions to recess or adjourn.

THE FIRST TWO SENTENCES ARE A RESTATEMENT OF PARTS OF HR 28 (1), SR XVII (1) AND SR XVII (2). THE REQUIREMENT FOR CONSENT IN THE PRESENT RULES WAS INTERPRETED AS MEANING UNANIMOUS CONSENT. (MASON, SEC. 466 (1)).

THE SECOND SENTENCE IS A RESTATEMENT OF SR XVII (1). THE SECOND SENTENCE OF HR 28 (3) PROVIDES AN ALTERNATE PROCEDURE BUT THE SENATE RULE IS SIMPLER. SR XVII (3), SR XVII (4) AND HR 28 (2) ARE OMITTED AS UNNECESSARY.

THE LAST SENTENCE IS A RESTATEMENT OF PARTS OF HR 28 (1) AND SR XVII (2). CONFERENCE COMMITTEES ARE PERMITTED TO REPORT AT ANY TIME UNDER PROPOSED JR 7-2.

5-5. When a motion to reconsider is laid on the table, a two-thirds majority is required to take it from the table. When a motion to reconsider fails, the question is finally and conclusively settled.

COMBINATION OF HR 24 (7) AND PART OF SR XVII (9). SR XVII (5), WHICH PROVIDES THAT A MOTION TO LAY A MOTION TO RECONSIDER ON THE TABLE SHALL NOT BE RECONSIDERED IS OMITTED; NO MOTION TO LAY ON THE TABLE MAY BE RECONSIDERED. (MASON, SEC. 340).

SR XVII (6) IS PARLIAMENTARY LAW AND CAN BE OMITTED. (MASON, SEC. 283 (6)); THE SAME IS TRUE OF SR XVII (7). (MASON, SEC. 467 (1)).

SR XVII (8) IS OMITTED AS UNNECESSARY.

5-6. (1) Except as provided in subsection (2) of this rule, the effect of moving the previous question, if adopted, is to close debate immediately, to prevent the moving of amendments or other subsidiary motions, and to bring to vote promptly the immediately pending main question and the adhering subsidiary motions, whether on appeal or otherwise.

(2) When the previous question is ordered on any debatable question on which there has been no debate, the question may be debated for one-half hour, one half of such time to be given to the proponents and one half to the opponents.

RESTATEMENT OF HR 30 (1), HR 30 (3), AND SR XIV (4). SUBSECTION (2) IS TAKEN FROM THE HOUSE RULE. THE PROVISION OF HR 30 (1) ALLOWING THE SPEAKER TO COMMIT TO A COMMITTEE WHILE THE PREVIOUS QUESTION IS IN EFFECT, IS OMITTED. SR XIV (1) AND SR XIV (2) RELATING TO THE FORM OF MOTION AND FORM OF PUTTING THE QUESTION, SR XIV (3) PROVIDING FOR A MAJORITY VOTE AND DIVISION, AND SR XIV (6) ARE ALL OMITTED AS UNNECESSARY.

5-7. A call of the house is not in order after the previous question is ordered, unless it appears upon an actual count by the presiding officer that a quorum is not present.

SAME AS HR 30 (2). SR XIV (5) PERMITS A CALL OF THE HOUSE PRIOR TO THE SECONDING BY A MAJORITY OF MEMBERS OF A MOTION FOR THE PREVIOUS QUESTION.

5-8. The following motions are not debatable:

- (1) To adjourn
- (2) For a call of the house
- (3) To recess
- (4) For parliamentary inquiry
- (5) For suspension of the rules
- (6) To lay on the table
- (7) For the previous question
- (8) To limit, extend the limits of, or to close debate
- (9) To amend an undebatable motion
- (10) To divide a question
- (11) To pass business in committee of the whole
- (12) To take from the table
- (13) A decision of the presiding officer, unless appealed or unless he submits the question to the house for advice or decision
- (14) All incidental motions, such as motions relating to voting or other questions of a general procedural nature

REPLACES HR 25 AND SR XIV (7).

5-9. A member may move to divide a question if it includes two or more propositions so distinct in substance that if one thing is taken away a substantive question will remain.

RESTATEMENT OF HR 24 (5).

5-10. An amendment to a motion may be amended, but an amendment to an amendment to a motion may not be amended. However, a substitute for an amendment to an amendment to a motion may be adopted and the substitute may be amended.

RESTATEMENT OF PART OF HR 31. SR XX IS OMITTED AS UNNECESSARY.

CHAPTER 6. BILLS AND RESOLUTIONS

A. FORM OF BILLS—DEFINITION OF RESOLUTIONS—GENERAL PROVISIONS

6-1. The only types of instruments other than bills which may be introduced in either house of the legislative assembly are:

(1) A simple resolution, which is a formalized motion passed by one house only and which bears the heading "House Resolution" or "Senate Resolution." It may be used to amend the rules of one house or to express the desire, opinion, sympathy or request of the house adopting it. It does not require three readings or a roll call vote. A member offering a simple resolution may read it in his place before sending it to the chair. It shall then be read by the clerk or secretary unless otherwise ordered by the house, and referred to a committee. Final action shall be taken on the committee report. The transmittal of copies of simple resolutions is the responsibility of the chief clerk or secretary of the house of origin.

(2) A joint resolution, which must be adopted by both houses and then signed by the governor as a ministerial formality. It may be used to express the desire, opinion, sympathy or request of the legislative assembly, to amend the joint rules, and to ratify or propose amendments to the United States Constitution. If a joint resolution goes beyond a

mere recommendation or expression of opinion, and does not relate to a subject solely within the competence of the legislative assembly, it is subject to veto by the governor. Except as otherwise provided in these rules, a joint resolution is treated in all respects as a bill.

EXCEPT FOR THE PROVISION OF SUBSECTION (1) DESCRIBING THE PROCEDURE FOR OFFERING A SIMPLE RESOLUTION, WHICH IS TAKEN FROM HR 51, THIS IS A NEW PROVISION. UNDER THIS RULE RESOLUTIONS WOULD BE USED FOR ALL PURPOSES FOR WHICH MEMORIALS AND RESOLUTIONS ARE NOW USED.

6-2. Bills shall be typewritten on paper eight and one-half by thirteen inches with numbered lines, and shall be introduced in quadruplicate. Pica or elite type and a good black ribbon must be used. Bills shall be numbered at the foot of each page and shall have white covers of a substantial material. In sections amending existing statutes, matter to be stricken out shall be indicated with a line through the words or part to be deleted, and new matter shall be underlined. A key showing the numbers of sections of the most recent Revised Codes of Montana repealed or amended in a bill shall immediately precede the title.

RESTATEMENT OF THE FIRST PARAGRAPH OF JR 20 AND PART OF HR 34. THE REQUIREMENT FOR UNDERLINING NEW MATERIAL HAS BEEN CLARIFIED. THE LAST SENTENCE IS A RESTATEMENT OF THE LAST SENTENCE OF JR 9.

6-3. No bill, except general appropriation bills, and bills for the codification and general revision of the laws, shall contain more than one subject, which shall be clearly expressed in the title. The enacting clause of every law shall be as follows: "Be it enacted by the legislative assembly of the state of Montana." (Montana Constitution, Art. V, Sec. 23 and Art. V, Sec. 20)

RESTATEMENT OF PART OF HR 34, PART OF THE SECOND PARAGRAPH OF JR 20, AND PART OF JR 9.

6-4. The general appropriation bills shall embrace nothing but appropriations for the ordinary expenses of the legislative, executive and judicial departments of the state, interest on public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject. (Montana Constitution, Art. V, Sec. 33)

THIS IS A NEW RULE.

6-5. Every statute, unless a different time is prescribed therein, takes effect on the first day of July of the year of its passage and approval. Every joint resolution, unless a different time is prescribed therein, takes effect from its passage. (Sections 43-507 and 43-509, R.C.M. 1947)

THIS IS A NEW RULE.

B. INTRODUCTION

6-6. A bill may be introduced by endorsing it with the name of a member or committee and presenting it to the chief clerk or secretary in quadruplicate. Bills, joint resolutions, and simple resolutions shall be numbered consecutively in separate series in the order of their receipt.

RESTATEMENT OF HR 33, SR X (1) AND PARTS OF HR 34 AND JR 9.

6-7. All bills except revenue bills, appropriations bills and substitute bills must be received by the chief clerk or the secretary by 5 p.m. of the twentieth legislative day. Revenue bills must be received by the chief clerk by 5 p.m. of the twenty-fifth day.

RESTATEMENT OF SR X (4) AND HR 36 (2). THE PROVISION FOR PERMITTING EXCEPTIONS "UPON THE TWO-THIRDS MAJORITY VOTE" IN THE SENATE RULE IS OMITTED AS THERE IS NO COMPARABLE HOUSE PROVISION.

6-8. No bill for the appropriation of money, except for expenses of the government, shall be introduced within ten days of the close of the session, except by unanimous consent of the house in which it is sought to be introduced. (Montana Constitution, Art. V, Sec. 21)

RESTATEMENT OF HR 36 (1).

6-9. All bills appropriating public moneys shall originate in the house of representatives. A member of the senate desiring the introduction of a bill carrying an appropriation may transmit it to the speaker of the house of representatives, who will provide for its introduction by request.

SAME AS JR 23.

6-10. All bills for raising revenue shall originate in the house of representatives; but the senate may propose amendments, as in the case of other bills. (Montana Constitution, Art. V, Sec. 32)

THIS IS A NEW RULE.

6-11. No bill may be introduced or received in a house after that house has finally rejected a bill designed to accomplish the same purpose.

RESTATEMENT OF HR 36 (3), SR X (2), AND JR 8. THE PROVISION IN JR 8 ALLOWING REINTRODUCTION WITH TWO-THIRDS CONSENT AND AFTER FIVE DAYS NOTICE IS OMITTED.

6-12. A committee must unanimously consent to the introduction of a committee bill.

RESTATEMENT OF SR X (3) AND HR 61.

C. FIRST READING AND COMMITMENT

6-13. The purpose of the first reading of bills is for information and commitment. A bill shall be read by its title in the house of origin and by its title and history in the second house. No motion affecting a bill is in order on its first reading.

RESTATEMENT OF SR X (5) AND SR X (6). HR 41 AND HR 42 ARE OMITTED. THE LAST SENTENCE, IN EFFECT, REVERSES THE PROVISION IN HR 35 (4) ALLOWING A BILL TO BE LAID ON THE TABLE ON SECOND READING.

6-14. No bill shall be considered or become a law unless referred to a committee, returned therefrom, and printed for the use of the members. (Montana Constitution, Art. V, Sec. 22)

HR 38 (1) RESTATES THIS CONSTITUTIONAL REQUIREMENT.

6-15. After the first reading of a bill, it shall be referred to a committee by the presiding officer.

RESTATEMENT OF SR X (7) AND HR 39. THE PROVISION OF HR 39 REQUIRING A TWO-THIRDS VOTE TO OVERRIDE THE SPEAKER'S COMMITMENT IS OMITTED. PART OF HR 39 IS COVERED BY PROPOSED JR 6-22.

6-16. A bill may be recommitted at any time before its passage.

SAME AS HR 45. SR X (12) COVERS THE SAME SUBJECT.
D. AMENDMENTS AND SUBSTITUTE BILLS

6-17. No law shall be revised or amended, or the provisions thereof extended by reference to its title only, but so much thereof as is revised, amended or extended shall be re-enacted and published at length. (Montana Constitution, Art. V, Sec. 25)

THIS IS A NEW RULE.

6-18. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose. (Montana Constitution, Art. V, Sec. 19)

HR 12 (1), PARTS OF JR 20 AND HR 48 RESTATE THIS CONSTITUTIONAL REQUIREMENT. PART OF HR 48 IS COVERED BY PROPOSED JR 5-3. HR 12 (3) IS OMITTED.

6-19. A committee may recommend that every clause in a bill be changed and that entirely new matter be substituted so long as the new matter is relevant to the title and subject of the original bill. A substitute bill shall be considered as an amendment and not as a new bill.

THIS IS A NEW RULE. SR X (16) RELATES TO THE SAME SUBJECT.

6-20. The proper form of reporting a substitute bill by a committee is to propose amendments to strike out all of the bill following the enacting clause and to substitute the new bill, recommending also any necessary changes in the title. If a committee report recommending a substitute for a bill originating in the other house is adopted, the substitute bill shall be printed.

THIS IS A NEW RULE. HR 12 (2) IS OMITTED.

6-21. Amendments to a bill by the second house shall not be further amended by the house in which the bill originated, but must either be accepted or rejected. If the amendments are rejected, a conference committee may be requested by the house in which the bill originated.

RESTATEMENT OF JR 26. JR 25 IS OMITTED AS UN-NECESSARY; RESTRICTIONS ON INTRODUCTION OF BILLS WOULD NOT APPLY TO AMENDMENTS.

E. PRINTING, ENGROSSING AND ENROLLING

6-22. If a majority of a house recommends the passage of a bill originating in that house after it has been returned from a committee, one thousand copies of the bill shall be printed with all amendments incorporated into the printed copies. Bills referred to the bills committee of the house of origin for printing must be reported within three days unless further time is granted by that house.

RESTATEMENT OF JR 5, PART OF SR X (8), THE FIRST AND THIRD SENTENCES OF HR 37, AND THE LAST SENTENCE OF HR 39. THE SECOND AND FOURTH SENTENCES OF HR 37 AND THE LAST SENTENCE OF SR X (8) ARE OMITTED.

6-23. When a bill has been reported favorably by committee of the whole of the house of origin and the report has been adopted, the bill shall be engrossed under the direction of the bills committee, and when reported correctly engrossed by the committee shall be placed on the calendar for third reading on the succeeding legislative day. Committee of the whole amendments shall be included in the engrossed bill. If a bill is unamended, contains no clerical errors, and is neatly written, it may be engrossed without retyping.

RESTATEMENT OF HR 44, SR X (11), AND PARTS OF SR X (13). THE PROVISION IN SR X (11) REQUIRING DELIVERY WITHIN 48 HOURS IS INCLUDED IN PROPOSED JR 3-7.

6-24. When a bill has passed both houses it shall be enrolled as an act of the legislative assembly under the direction of the bills committee of the house of origin. An original and three duplicate typewritten copies of the bill shall be enrolled, free from all corrections and errors, with a margin of two inches at the top and one inch on each side, with thirty unnumbered lines to the page. In sections amending existing statutes, new matter shall be underlined and matter stricken with a line through it shall be omitted. The typewriting shall be done with a black record ribbon, pica or elite type, on plain linen finished paper 8½ inches wide and 13 inches long, weighing sixteen pounds to the ream. The original and first copy only of the bill shall be red lined. The history of the bill shall also be enrolled and placed in back of the bill in a white manuscript cover, upon which is written the number of the bill.

When the enrolling has been completed, the bill shall be examined by the author and the bills committee and reported correctly enrolled. The original and one copy shall be signed by the presiding officer of each house in open session and presented by the bills committee to the governor. The bills committee shall take a receipt from the governor and shall report to the house the day and hour of such presentation, which shall be entered in the journal. The original and two unsigned copies shall be filed with the secretary of state. The signed copy shall be filed with the clerk of the supreme court.

RESTATEMENT OF JR 11, HR 46, SR X (20) AND THE FIRST PARAGRAPH OF JR 14. JR 15 IS OMITTED.

F. SECOND READING—COMMITTEE OF THE WHOLE

6-25. All bills which have been reported by a committee, accepted by the house concerned and printed, shall be posted on the calendar for consideration by committee of the whole. All amendments of the other house, shall immediately be posted on the calendar for consideration by committee of the whole. Until the forty-eighth legislative day, one day must elapse between the time a bill is printed and consideration by committee of the whole. Bills shall be arranged on the calendar in the order in which they are reported unless otherwise ordered by the house concerned.

RESTATEMENT OF SR X (9), SR X (10), HR 32, HR 38 (2) AND HR 43. HR 18 (4) AND HR 18 (5) ARE OMITTED AS UNNECESSARY. REFERENCES TO "GENERAL ORDERS" AND "GENERAL FILE" ARE DELETED AND "COMMITTEE OF THE WHOLE" IS SUBSTITUTED IN ORDER TO MAKE THE REFERENCES UNIFORM FOR BOTH HOUSES.

6-26. Every bill considered in committee of the whole shall be read by title and history and considered section by section.

RESTATEMENT OF SR XIII (3) AND HR 18 (8).

6-27. Prior to adoption of a committee of the whole report, a member may move to segregate a bill. If the motion prevails, the bill remains on second reading.

REPLACES THIRD SENTENCE OF HR 19. THERE IS NO COMPARABLE SENATE RULE.

6-28. When a committee of the whole report on a bill is rejected the bill shall remain on second reading.

RESTATEMENT OF THE SECOND SENTENCE OF HR 18 (7) AND THE LAST SENTENCE OF HR 19. THERE IS NO COMPARABLE SENATE RULE. THE FIRST AND LAST SENTENCE OF HR 18 (7) ARE OMITTED AS UNNECESSARY.

6-29. Either house may resolve itself into a committee of the whole by approval of a motion for that purpose. So far as may be applicable, the

rules governing each house shall be observed when that house resolves itself into a committee of the whole, except as follows:

- (1) The only motions in order are: to amend; to recommend passage or non-passage; to recommend concurrence or non-concurrence; to indefinitely postpone; to pass consideration; to rise; to rise and report; and to rise and report progress and ask leave to sit again.
- (2) A record vote may not be ordered.
- (3) The committee may not appoint subcommittees.
- (4) The committee may not punish its members for misconduct, but may report disorder to the house concerned.
- (5) Unless otherwise prescribed by either house before going into committee of the whole, a member may speak as often as he is recognized and for as long each time as is allowed in debate in the particular house.

RESTATEMENT OF HR 18 (1) AND (9) AND SR XIII (2), (4), (5), (6), (7) AND (8). SR XIII (1) AND HR 18 (6) ARE OMITTED AS UNNECESSARY. SR XIII (4) WAS USED AS A PATTERN FOR SUBSECTION (1) OF THE PROPOSED RULE. HR 18 (9) SIMPLY PROHIBITS THE PREVIOUS QUESTION AND A MOTION TO LAY ON THE TABLE.

SUBSECTION (5) OF THE PROPOSED RULE WOULD APPLY TO BOTH HOUSES WITHOUT CHANGING CURRENT PRACTICES ON THE LIMITATION OF DEBATE. SUBSECTION (5) IS A RESTATEMENT OF SR XIII (5). HR 18 (1) PROVIDES THAT BY MOTION THE HOUSE MAY "LIMIT DEBATE ON ANY SUBJECT TO BE CONSIDERED BY THE COMMITTEE."

HR 18 (6) DESCRIBES LIMITATIONS ON THE DEBATE OF AMENDMENTS WHEN "GENERAL DEBATE IS CLOSED BY ORDER OF THE HOUSE." A RULE SUCH AS HR 18 (6) IS UNNECESSARY SINCE IT COULD BE INCLUDED IN THE MOTION LIMITING DEBATE, WHICH IS ONLY MADE ONCE EACH SESSION, AND CARRIED OVER TO SUBSEQUENT SITTINGS OF THE COMMITTEE OF THE WHOLE. FOR EXAMPLE, IN 1959 THE LIMITATION WAS AS FOLLOWS:

"EACH SPEAKER UPON A MOTION BE LIMITED TO FIVE MINUTES; NO MEMBER TO SPEAK MORE THAN ONCE, EXCEPT THE MAKER OF THE MOTION WHO WILL BE ALLOWED AN ADDITIONAL FIVE MINUTES."

6-30. After a committee of the whole has been formed, the presiding officer shall appoint a chairman to preside. Upon resuming the chair, the presiding officer shall receive the report of the chairman of the committee and the house shall take action on the report.

RESTATEMENT OF HR 20 AND PART OF HR 18 (2). SR XIII (9), SR XIII (10), HR 18 (3) AND THE LATTER PART OF HR 18 (2) ARE OMITTED AS UNNECESSARY.

G. THIRD READING—GOVERNOR'S VETO

6-31. No bill shall become a law except by vote of a majority of all the members present in each house, nor unless on its final passage the vote be taken by ayes and noes, and the names of those voting be entered on the journal. (Montana Constitution, Art. V, Sec. 24)

THIS IS A NEW RULE.

6-32. The title of every bill shall be read three times prior to passage. The first reading shall be prior to commitment; the second prior to debate

in committee of the whole; and the third prior to final passage. No bill shall receive more than one reading on the same day except on the last legislative day.

RESTATEMENT OF SR X (14), SR X (15), HR 35 (1) AND PART OF SR X (13). THE PROVISION IN HR 35 (4) PERMITTING A MOTION TO LAY A BILL ON THE TABLE ON THIRD READING IS OMITTED AS UNDESIRABLE. THE PROVISION PERMITTING DISPENSING WITH THIRD READING ON A TWO-THIRDS VOTE IN HR 35 (1) IS OMITTED AS THERE IS NO COMPARABLE SENATE RULE.

HR 35 (2) AND THE LAST SENTENCE OF HR 31 RELATING TO AMENDMENTS ON THIRD READING WERE OMITTED AS UNNECESSARY.

6-33. Every order, resolution or vote, in which the concurrence of both houses may be necessary, except on the question of adjournment, or relating solely to the transaction of the business of the two houses, shall be presented to the governor, and before it shall take effect be approved by him, or, being disapproved, be repassed by two-thirds of both houses, as prescribed in the case of a bill. (Montana Constitution, Art. V, Sec. 40)

THIS CONSTITUTIONAL REQUIREMENT APPEARS IN JR 16.

6-34. Every bill passed by the legislative assembly shall, before it becomes a law, be presented to the governor. If he approves, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it with his objections to the house in which it originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If then two-thirds of the members present agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present in that house it shall become a law notwithstanding the objections of the governor. In all such cases the vote of each house shall be determined by yeas and nays, to be entered on the journal. If any bill shall not be returned by the governor within five days (Sunday excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the legislative assembly shall by their adjournment prevent its return, in which case it shall not become a law without the approval of the governor. No bill shall become a law after the final adjournment of the legislative assembly, unless approved by the governor within fifteen days after such adjournment. In case the governor shall fail to approve of any bill after the final adjournment of the legislative assembly it shall be filed, with his objections, in the office of the secretary of state. (Montana Constitution, Art. VII, Sec. 12)

THIS PROVISION IS RESTATED IN THE SECOND PARAGRAPH OF JR 14.

6-35. The governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts approved shall become a law, and the item or items disapproved shall be void, unless enacted in the manner following: If the legislative assembly be in session he shall within five days transmit to the house in which the bill originated, a copy of the item or items thereof disapproved, together with his objections thereto, and the items objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the executive veto. (Montana Constitution, Art. VII, Sec. 13)

THIS IS A NEW RULE.

H. TRANSMITTAL OF BILLS

6-36. Each house shall transmit to the other with any bill all relevant

papers. When a house bill is transmitted from the house of representatives to the senate, the secretary of the senate shall give a dated receipt for the bill to the chief clerk of the house. When a senate bill is transmitted to the house of representatives, the chief clerk of the house shall give a dated receipt to the secretary of the senate.

RESTATEMENT OF JR 4. JR 2, JR 3, JR 6, SR XXIII, AND HR 57 ARE OMITTED AS UNNECESSARY.

6-37. Except for appropriation bills and amendments considered by joint conference committees, no bills may be transmitted from one house to the other after the forty-second legislative day; and no amendments may be transmitted from one house to the other after the fifty-fifth legislative day.

RESTATEMENT OF JR 22, SR X (19), AND PART OF HR 47. THE TRANSMITTAL DATE FOR BILLS FROM THE HOUSE TO THE SENATE WAS CHANGED FROM THE FORTY-FIFTH DAY TO THE FORTY-SECOND DAY TO MAKE THE PROVISION UNIFORM FOR BOTH HOUSES.

6-38. When a bill has received its third reading or has been rejected, the house that considered the bill shall immediately transmit it to the other house with notice of its action.

RESTATEMENT OF SR X (18), HR 29, JR 7 AND PART OF HR 47. THIS PROVIDES A UNIFORM PROCEDURE FOR HANDLING ALL BILLS. SR X (17) IS OMITTED AS UNNECESSARY.

CHAPTER 7. COMMITTEES

7-1. The committee on legislative administration of each house shall consider all matters concerned with seating, mileage and per diem, legislative employees, the control of legislative property, and the budgeting for and expenditure of appropriations for the operation of the legislative assembly.

THE PORTION OF THE RULE RELATING TO SEATING, MILEAGE AND PER DIEM IS TAKEN FROM HR 10 (4); THE PORTION RELATING TO LEGISLATIVE EMPLOYEES IS TAKEN FROM HR 10; THE REMAINDER IS NEW.

7-2. A standing committee shall submit a written report in triplicate on all bills or matters referred to it within 7 days after reference, unless at the request of the committee and for good cause shown, further time is granted by the house concerned.

RESTATEMENT OF SR VIII (4), SR XXV (6), HR 11 (1), HR 11 (3) AND THE FIRST SENTENCE OF SR VIII (5).

THE SENATE REQUIREMENT OF REPORTING WITHIN 6 DAYS WAS CHANGED TO 7 DAYS TO COINCIDE WITH THE HOUSE RULE. HR 40 IS OMITTED AS UNNECESSARY.

7-3. If the members of a committee cannot agree on a report, the majority and minority of the committee present at a committee meeting may submit separate reports. Only one minority report may be submitted. Such reports shall be entered at length on the journal, unless otherwise ordered by the house concerned.

RESTATEMENT OF PART OF SR VIII (5); THE RULE IS CLARIFIED TO EXPLICITLY PERMIT ONLY ONE MINORITY REPORT. THE PROVISION IN HR 11 (2) PERMITTING THE SUBMITTAL OF REPORTS OF MEMBERS DISSENTING FROM BOTH MAJORITY AND MINORITY REPORTS IS DELETED.

7-4. All committees shall keep minutes of their meetings and, at the close of the session, shall turn the minutes over to the chief clerk of the house or secretary of the senate for delivery to the historical society.

THIS IS A NEW RULE.

7-5. The committee on rules and journal, the rules committee, the journal committee, the bills committee, and conference committees may report at any time, except during a call of the house or when a vote is being taken. Reports from the bills committee shall stand approved without formal action.

RESTATEMENT OF HR 13, HR 14, AND PART OF HR 15.
THERE IS NO COMPARABLE SENATE RULE. THE NUMBER OF STANDING COMMITTEES ALLOWED TO REPORT AT ANY TIME HAS BEEN REDUCED TO THE HOUSEKEEPING COMMITTEES RESPONSIBLE FOR BILLS, RULES AND JOURNAL. THE EXCEPTION "WHEN QUESTIONS ARE BEING CALLED" WAS CHANGED TO "WHEN A VOTE IS BEING TAKEN" TO CLARIFY THE LANGUAGE. HR 16 WAS OMITTED AS UNNECESSARY.

7-6. All bills providing for an appropriation of public moneys shall first be considered by a joint committee composed of the finance and claims committee of the senate, and the appropriations committee of the house, and then by each separately. Meetings of the joint committee shall be held upon call of the chairman of the house appropriations committee who shall be chairman of the joint committee.

RESTATEMENT OF JR 24.

7-7. Except as provided in Joint Rule 7-6, the chairman of the senate committee shall be chairman of all joint committees.

RESTATEMENT OF JR 18.

7-8. If either house requests a conference and appoints a committee for the purpose of discussing an amendment on which the senate and the house of representatives cannot agree, the other house shall appoint a committee consisting of the same number of members. They shall meet at a convenient time, to be agreed upon by their chairmen, and having conferred, shall report to their respective houses the result of their conference. A conference committee shall confine itself to the disputed amendment.

RESTATEMENT OF JR 17.

7-9. In joint committees other than conference committees, members vote individually and not by houses. Because conference committees are joint meetings of separate committees, in conference committees the committees from each house vote separately, and a majority of each committee must agree before any action may be taken.

THIS IS A NEW RULE.

CHAPTER 8. RULES AND JOURNAL

8-1. Each house shall keep a journal of its proceedings, and may, in its discretion, from time to time, publish the same, except such parts as require secrecy, and the ayes and noes on any question shall, at the request of any two members, be entered on the journal. (Montana Constitution, Art. V, Sec. 12)

THIS IS A NEW RULE.

8-2. The proceedings of each house which shall be entered on its journal include:

- (1) The title and number of each bill when it is introduced; subsequent references may be by number only.
- (2) Every motion and the name of the member making it.
- (3) Proposed constitutional amendments which have been voted for by two-thirds of the members. (Montana Constitution, Art. XIX, Sec. 9)
- (4) Committee reports.
- (5) Roll call votes.
- (6) Messages from the governor and the other house.
- (7) An entry of the oath taken by the members. (Sec. 43-209, R.C.M. 1947)

SUBSECTION(1) IS A RESTATEMENT OF JR 10, SR XXV (4) AND PART OF SR XXV (1). SUBSECTION (2) IS A RESTATEMENT OF PART OF HR 24 (1). SUBSECTION (3) IS A CONSTITUTIONAL REQUIREMENT WHICH IS RE-
STATED BY SR XXV (3). SUBSECTION (4) IS TAKEN FROM THE FIRST SENTENCE OF SR VIII (5), SR XXV (6), HR 11 (1) AND PART OF HR 15. SUBSECTIONS (5) AND (6) ARE NEW. SUBSECTION (7) IS RESTATED IN SR XXV (7).

8-3. The journal committee or committee on rules and journal of each house shall examine its journal, correct any errors, and report each legislative day immediately after roll call.

RESTATEMENT OF FIRST PARAGRAPH OF HR 7 AND PART OF SR XXV (1). SR XXV (9), WHICH SIMPLY REFERS TO THE STATUTE PRESCRIBING THE DISTRIBUTION OF JOURNALS AFTER PUBLICATION IS OMITTED.

8-4. The journal of the senate must be authenticated by the signature of the president, and the journal of the house of representatives by the signature of the speaker. (Sec. 43-304, R.C.M. 1947)

SR XXV (8) RESTATES THIS STATUTORY PROVISION.

8-5. (1) A joint rule may be repealed or amended only with the concurrence of both houses, under the procedures adopted by each house for the repeal or amendment of its own rules. (2) A joint rule governing the procedure for handling bills may be temporarily suspended by the unanimous consent of the members of either house, insofar as it applies to the house suspending it.

RESTATEMENT OF JR 19.

8-6. Mason's Manual of Legislative Procedure governs the proceedings of the senate and house of representatives in all cases not covered by these rules.

THIS IS A NEW RULE.

8-7. The legislative council shall codify and publish in one volume the rules of the senate, the rules of the house of representatives and the joint rules of the senate and house of representatives. Upon adoption, the secretary of the senate and the chief clerk of the house of representatives shall provide the office of the legislative council with one copy of all motions or resolutions amending senate, house or joint rules, and with copies of all minutes and reports of the rules committee on committee on rules and journal relating to rules. After the rules have been published, the legislative council shall distribute copies as directed by the senate and house of representatives.

THIS IS A NEW RULE.

CHAPTER 9. VOTING PROCEDURE

9-1. Except as provided in Joint Rule 9-2, every member present when a

question is put shall vote unless the house of which he is a member excuses him.

RESTATEMENT OF HR 26.

9-2. A member who has a personal or private interest in any measure or bill proposed or pending before the legislative assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon. (Montana Constitution, Art. V, Sec. 44)

THIS IS A NEW RULE.

9-3. Amendments to the constitution may be proposed in either house; a two-thirds vote of the members elected to each house is required for passage. (Montana Constitution, Art. XIX, Sec. 9)

SR XXV (3) RESTATES THE CONSTITUTIONAL REQUIREMENT.

9-4. When a measure requiring the concurrence of two-thirds of the members is under consideration, a majority vote is sufficient to decide any question relating to the measure short of third reading.

RESTATEMENT OF SR XIX. HR 27 IS OMITTED AS UNNECESSARY.

9-5. A roll call vote shall be taken on the request of two members.

RESTATEMENT OF SR XV (1). HR 49 PROVIDES FOR A ROLL CALL ON REQUEST OF TEN MEMBERS AND AN ENTRY OF THE VOTE ON THE JOURNAL AT THE REQUEST OF TWO MEMBERS. HOWEVER, ART. V, SEC. 12 OF THE CONSTITUTION COULD BE INVOKED TO REQUIRE A ROLL CALL VOTE ON ANY QUESTION, AT THE REQUEST OF TWO MEMBERS.

9-6. On a roll call vote the names of the members shall be called alphabetically, unless an electrical voting system is used. A member may not vote or change his vote after the decision is announced from the chair. A member may not explain his vote until after the decision is announced from the chair.

BASED ON SR XV (2), HR 23 (1) AND HR 62. SR XV (3) AND HR 2 (5) ARE OMITTED. THE LAST SENTENCE WAS ADDED TO CURB THE OCCASIONAL ABUSE OF THE PRIVILEGE OF EXPLAINING A VOTE. IF THE EXPLANATION COMES AFTER THE DECISION IS ANNOUNCED IT CANNOT BE USED IN AN ATTEMPT TO SWAY OPINIONS OF OTHER MEMBERS.

9-7. (1) On third reading the question shall be stated as follows: "Senate (or house) bill number . . . having been read three several times, the question is, shall the bill pass (or be concurred in)."

(2) If an electrical voting system is used the presiding officer shall ring the bell after stating the question and then state "Those in favor vote yea and those opposed vote no." After a reasonable pause the presiding officer asks "Has every member voted?" (reasonable pause) "Does any member wish to change his or her vote?" (reasonable pause) "The clerk (secretary) will now record the vote."

RESTATEMENT OF HR 35 (3) AND HR 63.

9-8. Two members may pair on a measure that will be determined by a majority vote. On a measure requiring a two-thirds vote for adoption three members may pair, with two members for the measure and one member against. Pairing is permitted only when one of the paired members is absent when the vote is taken.

RESTATEMENT OF SR XXI (1), (2) AND (3).

9-9. An agreement to pair must be in writing and dated and signed by the members agreeing to be bound, and must specify the duration of the pair. When an agreement to pair is filed with the secretary of the senate or chief clerk of the house of representatives, it shall bind the members signing until the expiration of time for which it was signed, unless the paired members sooner appear and ask that the agreement be cancelled.

RESTATEMENT OF SR XXI (4) AND JR 21. SR XXI (5) AND HR 23 (2) ARE OMITTED AS UNNECESSARY.

Motion was made by Cerovski that the Speaker appoint a committee of five members to notify His Excellency, the Governor, that the House is now organized and ready to receive any message he wishes to deliver, and also to learn the time set for this message. Motion carried.

Thereupon, the Speaker appointed the following committee to notify the Governor: Gill, Chairman; Eskildsen, Vice-Chairman; Bardanoue, Haines, Nichols.

Motion was made by Cerovski, and carried, that the Speaker appoint a committee of five members to inform the Honorable Senate that the House is now organized and ready to do business, and that the House wishes them a happy re-apportioning. The following committee was appointed: Hanks, Chairman; Healy, Vice-Chairman; Bashor, Broeder, Pierce.

Motion was made by Cerovski that the Speaker, and the Majority and Minority Floor Leaders be ex-officio members of all committees. Motion carried.

It was moved by Cerovski that the Speaker appoint a select committee of nine members to act as a committee on re-apportionment, whose duties it shall be to consider re-apportionment bills, conduct studies on re-apportionment, and recommend to the entire House before the fifty-fifth day their conclusions. Motion carried.

It was moved by Cerovski that the House recess, subject to Call of the Chair. Motion carried.

House resumed. Mr. Speaker in the Chair.

The committee appointed to notify the Governor that the House was organized reported that it had so notified the Governor, and that he had informed the committee that he would deliver his message on Tuesday, January 5, 1965 at 2:00 p.m. to a joint assembly. He sent his greetings and good will for a successful session, and an invitation to all members to attend the Inaugural Reception.

The committee appointed to notify the Senate that the House was organized, reported that the message had been conveyed and that the Senate was ready to do business, and thanked the House for their greetings on re-apportionment.

The following motion was made by Cerovski to amend House Rule 7-6: All bills providing for an appropriation of public moneys shall first be considered by a joint committee composed of the finance and claims committee of the Senate, and the appropriations committee of the House, and then by each separately. Meetings of the joint committee shall be held upon call of the chairman of the House appropriations committee who shall be chairman of the joint committee. Motion carried.

The committees of the House, having fulfilled their tasks, were discharged by the Speaker.

The Speaker made the following committee appointments:

Affairs of Cities: Tracy, Chairman; Willits, Vice-Chairman; Slaby, Schepens, Gerke, Bollinger, Lewis, Cregg, Obstarczyk, Jensen, Crum, Selstad, Casey, Lund, Dye.

Agriculture and Irrigation: Hanks, Chairman; Brenner, Vice-Chairman; Stranahan, Bailey, McOmber, Sartz, Gunderson, Eklund, Holtz, Asbjornson, Loman, Leuthold, Woodard, Falkenstern, Williams.

Appropriations: Bardanouve, Chairman; Raundal, Vice-Chairman; Laas, Eskildsen, Twedt, Egan, McOmber, Bollinger, Cregg, Harper, Johnson, Haines, Nichols, Jenkins, Asbjornson, Leuthold, Spilde.

Bills: Harper, Chairman; Scherf, Vice-Chairman; McDonald, Nelson, Schye.

Business and Industry: Judge, Chairman; Gill, Vice-Chairman; Bashor, Fischer, Atkins, Gerke, Bollinger, Deschamps, Gilligan, Pierce, Tooke, Casey, Loman, Delano, Rygg.

Constitutions, Elections and Federal Relations: Watt, Chairman; Zimmer, Vice-Chairman; Sheehy, Laas, Healy, McNamara, Hall, Obstarczyk, Meccage, Haines, Jenkins, Nelson, Nichols, Rygg, Loman.

Education: Aasheim, Chairman; Watt, Vice-Chairman; Hanks, Raundal, Shugrue, McNamara, Gilfeather, Christiansen, Gunderson, Brenner, Crum, Leuthold, Rehberg, Lund, Smiley, James, Schye.

Fish and Game: Gill, Chairman; Bailey, Vice-Chairman; Tracy, Zimmer, Fischer, O'Leary, Sullivan, Christiansen, Atkins, Jenkins, Smith, Spilde, Delano, Tooke, Boughton.

Highways: Laas, Chairman; Judge, Vice-Chairman; Lewis, Egan, Healy, O'Hair, Watt, Deschamp, Obstarczyk, Broeder, Swanz, East, Pierce, Selstad, Dye.

Judiciary: Sheehy, Chairman; Gilfeather, Vice-Chairman; Hall, Bailey, Deschamp, O'Hair, Sullivan, Prevost, Nefzger, Jensen, Rehberg, Felt, Mather, McNamer, McCalman.

Labor and Compensation: Lombardi, Chairman; Johnson, Vice-Chairman; Slaby, Christiansen, Atkins, Gerke, Shugrue, O'Leary, Gilligan, East, Casey, Mather, Boughton, Delano, McCalman.

Legislative Administration: Bashor, Chairman; Tracy, Vice-Chairman; Stranahan, Hanks, Broeder.

Livestock and Ranges: Brenner, Chairman; Cummings, Vice-Chairman; Raundal, Eklund, McDonald, Sartz, Prevost, Nefzger, Gunderson, Smith, Nelson, Garrison, Woodard, Falkenstern, Williams.

Public Health, Welfare and Safety: Bashor, Chairman; Flynn, Vice-Chairman; Healy, Schepens, Fischer, Hall, Meccage, Prevost, O'Leary, Crum, Tooke, Jensen, Swanz, Ulmer, East.

Rules and Journal: Cerovski, Chairman; Eskildsen, Vice-Chairman; Wayrynen, Haines, Lucas.

State Administration: Eskildsen, Chairman; Cummings, Vice-Chairman; Bardanouve, Stranahan, Judge, Zimmer, McDonald, Johnson, Scherf, Garrison, Lund, McNamer, Nutting, McCalman, Boughton.

Townships and Counties: Twedt, Chairman; O'Hair, Vice-Chairman; Gill, Hanks, Holtz, Aasheim, Meccage, Sartz, Nefzger, Asbjornson, Nutting, Felt, Spilde, Smith, Rehberg.

Ways and Means: Healy, Chairman; Stranahan, Vice-Chairman; Lewis, Flynn, Willits, Slaby, McNamara, Sullivan, Lombardi, Broeder, Falkenstern, Smiley, Swanz, Ulmer, James.

REPORTS OF STANDING COMMITTEES

January 4, 1965

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House:

Chief Clerk.....	Walter Marshall
Assistant Chief Clerk.....	Francis Mitchell
Sergeant-at-Arms.....	Si Emmons
First Assistant Sergeant-at-Arms.....	Leon Anderson
Assistant Sergeant-at-Arms.....	Curt Coleman
Assistant Sergeant-at-Arms.....	Jerry Harrington
Chaplain.....	Father O'Neill
Bill Clerk.....	Mrs. Rosella Dallas
Assistant Bill Clerk.....	Mrs. Michael Chilton
Journal Clerk.....	Mrs. Lloyd Blewett
Assistant Journal Clerk.....	Mrs. Jack McEacheron
Journal Stenographer.....	Mrs. Ellen Reid
Payroll Clerk.....	Jerry Sullivan
Secretary to Appropriations Committee.....	Donna Muffick
Clerk to Chief Clerk.....	Mrs. Louis Fontana
Reading Clerk.....	Ray Saemans
Supply Clerk.....	Lloyd Blewett
Printing Clerk.....	Ray Campbell
Enrolling Clerk.....	Mrs. Louis Forsell
Engrossing Clerk.....	Etta Cummings
Secretary to Speaker.....	Mrs. Peggy Crawford
Secretary to Minority Leader.....	Carol Kelleher
Chief Stenographer.....	Mrs. Dora Wines

Stenographers:

Mrs. Joyce Connors	Mrs. Vera Lansing
Mrs. Carol Brown	Mrs. Shirley Miller
Marguerite O'Grady	Betty Erickson
Claudia Frelich	Doris Neu
Donna Capps	Mary Marron
Vickie Montietih	Anne Wascisin
Dorothy Erickson	

Typists:

Jane B. Jones	Mrs. Shirley B. Amberson
Mrs. Judith Hurley	Janet G. Danzer
Rena Flynn	Mrs. La Vay Bomar
Mrs. Darryl Lee	Virginia Averill
Margaret Wickhorst	

Mimeograph Clerk.....	Agnes R. Screnar
Assistant Mimeograph Clerk.....	Tony Polich
Mimeograph Department Clerks.....	Eulalie Winter
	William E. Fearon
	Gerry Dernback
	Jeffree E. Peterson
	Buck Brown
Chief Proof Reader.....	Mrs. Barbara Winans

Proof Readers:

Mrs. John Mahan	Mamie Reinig
Forrest Wilkinson	Bill Caldwell
Mrs. Lucy Slaby	Pat Scott
Mrs. Elouise Reese	Billie Maddio
William Henry Fluhr	Esther L. Schmidt
Frances M. Verdi	Matt W. Oja
Ruth I. Carlson	James Flynn
Mrs. Guthrie	Mary Jean Morrison

Pages:

Linda Wayrynen	Rlynn Rockman
Jim Twedt	Mark Cummings
Charles R. Williams	
Postal Clerk.....	Mrs. Mary Cross
Mail Clerk.....	James S. Obstarczyk
	A. H. Klemme
	Lewis B. Leathers
	Dorothy Carkeek
Doorkeepers.....	Burley Rinke
	Joseph B. Arts
	John Harrington
Guide.....	Dan R. Bieri
Night Watchman.....	Don Prevost
	Patrick J. Brophy
Elevator Operators.....	Viola Sullivan
	Charmaine Bouchey

BASHOR, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1, introduced by Committee on Appropriations: A bill for an act entitled: "An act relating to the organization and procedures of the legislative assembly; prescribing the duties and compensation of legislative employees; repealing sections 43-211, 43-212, 43-213, 43-214, 43-302, 43-303, 43-305 through 43-309 and 43-312 through 43-317, R.C.M. 1947." Referred to Committee on Appropriations.

House Bill No. 2, introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating money for the operation of the Thirty-Ninth Legislative Assembly." Referred to Committee on Appropriations.

House Bill No. 3, introduced by Bardanouve, Eskildsen and Nichols: A bill for an act entitled: "An act relating to the investment of moneys in the state treasury and state depository practices; creating a state investment council and the office of state investment officer; providing an appropriation for the state investment council; amending sections 31-205, 68-701, 75-2708, 79-306, 79-1101, 79-1102, 81-101, 81-102, 81-201, 81-209, and 92-1112, R.C.M. 1947; and repealing sections 79-301, 79-303, 79-304, 79-305, 79-1105, 79-1201, 79-1203, 79-1206, 79-1207, 79-1208, 79-1209, 79-1211, 79-1212, 79-1213, 79-1214, 79-1215, 79-1216, 81-1001, 81-1002, 81-1003, 81-1004, 81-1005, 81-1006, 81-1007, and 81-1008, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 4 introduced by Bardanouve and Nichols: A bill for an act entitled: "An act appropriating seven thousand two hundred dollars (\$7,200) for state of Montana dues to the Council of State Governments for the 1965-1967 biennium and appropriating two thousand dollars (\$2,000) for the expenses of legislative leaders to attend the National Conference of State Legislative Leaders." Referred to Committee on Appropriations.

House Bill No. 5 introduced by Bardanouve and Nichols: A bill for an act entitled: "An act appropriating moneys for the operation of the Legislative Council for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

House Bill No. 6 introduced by Bashor and Nichols: A bill for an act entitled: "An act amending section 84-4907.1, R.C.M. 1947, as amended by Section 1, Chapter 227, of the Laws of 1957, relating to veterans' bonus exemption from income tax law; providing that all payments made under

World War I bonus law, Korean bonus law and Veterans' bonus law shall be exempt from Montana state income tax; providing an effective date; and providing a repealing clause." Referred to Committee on State Administration.

House Bill No. 7 introduced by Wayrynen and Gill: A bill for an act entitled: "An act amending Section 32-1014, R.C.M. 1947 making unlawful the dumping of garbage on private property where public recreation is permitted." Referred to Committee on Fish and Game.

House Bill No. 8 introduced by Christiansen and Schepens: A bill for an act entitled: "An act to amend Section 32-1126, R.C.M. 1947, by giving certain employees of the State Highway Commission the power of arrest in certain instances." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 9 introduced by Harper, Zimmer, Tracy, Lombardi, Shugrue, and Healy: A bill for an act entitled: "An act establishing a minimum wage for certain employees in the state of Montana." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 10 introduced by Bardanouve, Eskildsen, Nichols and Haines: A bill for an act entitled: "An act amending Section 23-902, R.C.M. 1947, to change the date of the primary nominating election to the Tuesday after the second Monday in September preceding any general election; amending Section 23-807, R.C.M. 1947, to provide the period for filing certificates of nomination with the Secretary of State and the County Clerk; amending Section 23-809, R.C.M. 1947, to provide the period in which the Secretary of State must certify to the County Clerks the names of persons nominated in certificates of nomination." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 11 introduced by Bardanouve, Eskildsen, Haines, and Nichols: A bill for an act entitled: "An act to give each political party the power to make rules and regulations for its organization and operation; and to repeal Sections 23-930, 23-932, 23-1002, 23-1006, and 23-1007, R.C.M. 1947." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 12 introduced by Bashor and Eskildsen: A bill for an act entitled: "An act relating to liquor control and the operation of the Liquor Control Board; changing published notice requirement for liquor license transfers from four to two weeks; requiring that every package of liquor sold within the state have an official serially numbered seal attached; requiring the Liquor Control Board to maintain written records of liquor received for sampling purposes; removing salary limitations for employees of the Liquor Control Board; abolishing individual liquor permits; repealing obsolete provisions for beer licenses for clubs; amending Sections 4-407.1, 4-113, 4-153, 4-102, 4-112, 4-116, 4-134, 4-136, 4-137, 4-138, 4-139, 4-159, 4-164, 4-201, 4-202, 4-234, 4-501, and 4-502, R.C.M. 1947, and repealing Sections 4-108, 4-157, 4-162, 4-165, 4-166, 4-168, 4-169 and 4-511, and Sections 4-123 through 4-133, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 13 introduced by Harper, O'Hair, Schepens, Smith, Aasheim and Meccage: A bill for an act entitled: "An act requiring the display of signs where imported meat or meat products are sold and requiring the labeling of imported meat or meat products containing imported meat." Referred to Committee on Public Health, Welfare and Safety.

Motion was made by Cerovski that the House recess subject to the Call of the Chair.

Motion carried.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do pass.

BARDANOUE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 2, respectfully report as follows: That House Bill No. 2 do pass.

BARDANOUE, Chairman

Report adopted.

Motion was made by Cerovski, Fergus County, that the House recess subject to the Call of the Chair.

Motion carried.

House resumed. Mr. Speaker in the Chair.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 14 introduced by Judge and Aasheim: A bill for an act entitled: "An act amending Section 23-902, R.C.M. 1947, to change the date of the primary nominating election to the second Tuesday of September preceding any general election; and eliminating the election of county central committeemen and committeewomen at the primary nominating election; amending Section 23-807, R.C.M. 1947, to provide the period for filing certificates of nomination with the Secretary of State and the County Clerk; amending Section 23-809, R.C.M. 1947, to provide the period in which the Secretary of State must certify to the County Clerks the names of persons nominated in certificates of nomination." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 15 introduced by Judge and Aasheim: A bill for an act entitled: "An act relating to county and city central committeemen; amending Section 23-929, R.C.M. 1947 to provide for the election of county and city central committeemen at the general election; and to specify the time an elector may be placed in nomination for committeeman or committeewoman." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 16 introduced by Judge and Aasheim: A bill for an act entitled: "An act to give each political party the power to make rules and regulations for its organization and operation; and to repeal sections 23-930, 23-932, 23-1002, 23-1006, and 23-1007, R.C.M. 1947." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 17 introduced by Judge and Aasheim: A bill for an act entitled: "An act amending Section 23-903, R.C.M. 1947, to eliminate reference to candidates for county central committeemen in primary nominating election notices." Referred to Committee on Constitutions, Elections and Federal Relations.

House Joint Resolution No. 1 introduced by Bardanouve and Christian-sen: A joint resolution of the Senate and House of Representatives requesting the State Controller and Budget Director to prepare a comprehensive inventory of all state moneys held outside the State Treasury for the use of the Legislative Council in preparing a report on the management of such funds for the Fortieth Legislative Assembly. Referred to Committee on State Administration.

House Joint Resolution No. 2 introduced by Bardanouve, Johnson, Fischer: A joint resolution of the Senate and House of Representatives requesting that the Legislative Council revise laws relating to the State Board of Health. Referred to Committee on Public Health, Welfare and Safety.

House Joint Resolution No. 3 introduced by Harper, Flynn and Willits: A joint resolution of the Senate and House of Representatives of the state of Montana to the Congress of the United States, the Montana Congressional Delegation, the Committee on Interstate and Foreign Commerce of the United States Senate, and the Committee on Interstate and Foreign Commerce of the United States House of Representatives requesting the passage of legislation to amend 34 statutes at large 1416, codified as 45 United States Code, Section 62, relating to the hours which employees of railroads may be required to work. Referred to Committee on Constitutions, Elections and Federal Relations.

Motion was made by Cerovski that the House adjourn until 1:30 p.m., Tuesday, January 5, 1965. Motion carried.

House adjourned.

RAY WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk.

SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 5, 1965

House convened, pursuant to adjournment, at 1:30 p.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Representative W. F. Garrison was duly sworn in by the Secretary of State.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the First Legislative Day, find the same to be correct.

REPORTS OF STANDING COMMITTEES

Mr. Speaker, we your Committee on Legislative Administration recommend the following:

That Jerry Dernback be transferred from mimeograph clerk to page, and that the following be hired:

Mimeograph Clerks—Henry Flatow
Robert J. Harschfeld
Gerald E. Kirtley
Mrs. Russel White
Jennie H. Lee
Harvey Sanders

Law Clerk—Bill Mufich

Secretary to Majority Floor Leader—Marie Cerovski.

BASHOR, Chairman

Report adopted.

A committee of three consisting of Senators Bovey, Mackay, and David James, appeared and informed the House that the Senate was ready to join in joint session with the House to hear the Governor's message.

Motion was made by Cerovski that the House recess subject to the call of the Chair. Motion carried.

House resumed, in joint session with the Honorable Senate.

Lt. Gov. James, occupying the Chair for the joint session, appointed the following committee to notify the Governor that the Senate and House of Representatives had convened in joint assembly and were ready to hear his message: Senators Manning and Balgord, and Representatives Eskildsen, Aasheim and Haines.

His Excellency, Tim Babcock, then appeared and was escorted to the rostrum. After being presented to the assembly by the President of the Senate, he delivered his address:

Mr. President, Mr. Speaker and Members of the 39th Legislative Assembly:

You and I . . . gathered in this legislative hall today . . . have been given the privilege of making decisions in matters vital to the State of Montana.

The privilege of decision carries with it a certain burden . . . that of responsibility.

But it offers a rare opportunity as well . . . the opportunity for positive accomplishment for Montana.

In the period of a lifetime, this is an opportunity shared by very few.

Only those so honored as to have been elected to this lawmaking body can have so active a voice in the destiny of our state and in the affairs of its people.

Today, yours is that voice. You will chart the course Montana will follow for the next two years and for many years to come.

You . . . and you alone . . . have the authority to tax and to spend. You must do this wisely.

Today, you, as legislators, represent the entire state of Montana . . . and not just the county which elected you. You are here to serve that county's interests to the best of your abilities . . . but not at the expense of every other county.

This is the State of Montana we're considering . . . the state each of us loves . . . the state in which we make our homes and raise our families. The people of this state rightfully expect from us both clear leadership and guidance for the months and years ahead.

Basically, we are an agricultural state and the needs and interests of agriculture must be of vital concern to us. We are an industrial state as well and we are enjoying sound and steady economic growth through business development and expansion.

Thus, industry and laboring people who work in industry must be given prime consideration.

We are a proud state wanting quality schooling for our young people . . . education in depth which thoroughly prepares our students for the fast advancing world of the future. This places a heavy financial burden on a state with a population of only 700,000 people . . . but we can . . . and will . . . shoulder this responsibility.

We are a state of outstanding recreational appeal . . . a haven for

ever-growing numbers of vacationers who come to Montana to enjoy our scenery, to fish or to hunt or to hike in our wilderness areas. These are God-given resources Montana is duty bound to preserve for all the generations to follow.

We are the state where rivers begin . . . and water is a precious commodity. We have urgent need in this legislature to concern ourselves with Montana water because only Montana people or those who care about Montana . . . can protect it.

These are matters certain to come before you as the work of this legislative assembly progresses. They demand thought and thorough study . . . and they cannot, in good conscience, be left for others to consider at some future time.

Firm fiscal policies followed by the past two state bi-partisan legislatures . . . coupled with diligent efforts by all departments of state government . . . have made Montana financially sound.

Now we can accelerate our progress. We can grow and expand in the steady and orderly fashion which all of us want for our state.

As has been one of our goals, Montana has broadened its tax base through industrial development far exceeding any period in its history. This development will continue so long as there can be mutual trust between industry and a state government which recognizes a responsibility to all those being taxed to support it.

One of my responsibilities to you is to suggest certain guidelines and to recommend programs which will serve Montana well, keep the state economically sound and assure its continued growth.

These recommendations are the result of much hard work, study and consultation.

In appealing to you to give these recommendations every consideration, I ask that you join me in setting aside partisanship for partnership in the best interests of Montana.

Initially, permit me one recommendation which shows every evidence of being overwhelmingly popular.

I share the belief that election campaigns, in this modern age, are far too long and far too expensive. I ask that you take action to set Montana's primary election dates to fall within a six-week period of the November general elections.

Montana today faces one of the most difficult problems in its history . . . that of reapportionment.

This is a development with which we may not agree but we must cope with it nevertheless.

The theory of "one person — one vote" simply does not fit Montana, with its unusual geographical barriers, its diverse interests, its varied economy and its pioneer heritage anymore that it fits the two Houses of the national congress.

However, because of decisions by the U.S. Supreme Court affecting the constitutions of other states, Montana must devise a system which will attempt to harmonize all factors concerning our state.

Some leeway on what the court has called "practical and reasonable means" seems to exist, but the objectives remains "one person — one vote."

While action is demanded now, we need some opportunity to amend the U.S. Constitution and our own State Constitution. We need time, as well, to permit our people to study, understand and recognize the problems of reapportionment.

Article V of the Constitution of the United States provides that if two-thirds of the state legislatures apply for a constitutional convention to propose an amendment, Congress shall call that convention.

With this in mind, I propose these steps:

That this legislative assembly memorialize Congress on the matter of reapportionment. Such a memorial would be in the nature of an application to Congress to call a convention to propose an amendment to the U.S. Constitution to be ratified by the states.

Such an amendment would provide for apportioning membership of one house of state legislatures on factors other than population. This is similar to what we presently have in government at the national level.

Never before in history has this method for amending the Constitution been used, but the Constitution provides for it and, in this instance, it is a practical method to arrive at a solution. In fact, several states are making applications to Congress at the present time.

As an alternative to such an application, this assembly may prefer to memorialize Congress to submit to the states for ratification a reapportionment amendment of its own. Article V of the Constitution also provides for this method of amendment.

How best to reapportion is not a decision to be made in haste . . . nor does the U.S. Supreme Court demand this of us.

The court does demand, however, that some action be taken, showing our good faith in seeking solution to the reapportionment problem.

Through specific legislation in this session, we can reapportion our House of Representatives to come within the limits of the federal cases. I recommend that we do this and at the same time propose that we not enlarge our present House membership.

Our Constitution states clearly that each county in Montana shall have one senator.

All legal authority with which I have consulted agrees that, under oath of office which you and I have taken to support, protect and defend our state constitution, we cannot apportion our State Senate without first having that constitution amended by the people.

For this reason, I recommend that this legislative assembly place before the people of Montana a referendum measure to amend our state constitution to provide for senatorial districts, irrespective of county lines.

If the referendum measure receives the endorsement of our people . . . and the federal constitution is not amended, as sought in my first recommendation . . . our next legislative session then would have constitutional authority to reapportion our Senate to conform to what the Supreme Court has proclaimed.

This is the orderly way for us to proceed in the matter of Senate reapportionment.

Finally, I propose that we immediately re-divide our Eastern and Western Congressional districts to equalize them. Failing this, we would need to consider electing Congressmen-at-large.

As you will note in the budget soon to be presented to you, the projected overall general fund expenditure for the next biennium slightly exceeds \$104,000,000 . . . an increase of \$16,000,000 over 1963.

This is a realistic budget which meets the present needs . . . although not all of the demands . . . of all departments. As is proper, prime emphasis has been placed on meeting the financial requirements for education and the custodial institutions. In fact, nearly 56 percent of the general fund budget proposal has been earmarked for education.

We here today have the opportunity in this legislative session to launch the golden era of education in Montana. I have worked toward this goal for many months and I am convinced that we will do this.

Each of us recognizes that the education of our young people is our first responsibility, not only as law makers but also as state citizens.

The operating budget for our higher education system . . . all funds . . . exceeds \$45,000,000. This includes more than \$30,000,000 of general fund monies. The proposed expenditure is a one-third increase for instruction over the present biennium.

This is made more meaningful when you realize that appropriations for higher education during the present biennium are the highest of record in Montana to this time.

There is yet another point to be brought out as we discuss education. Buildings recommended for state government under an initial building program which I will propose here this afternoon call for a \$17,000,000 expenditure. The great share of these buildings would be constructed for the benefit of our college units or our public institutions. Construction could start as soon as the buildings were authorized.

Thus, in addition to the \$45,000,000 being recommended for higher education, more than \$9,000,000 is being sought . . . and can be obtained now for needed buildings on college campuses.

This intensive effort to further the cause of higher education is made necessary because ever-increasing numbers of Montana students are attending the units of our university system. This requires increased staff, higher salaries and more and better instructional materials and equipment.

We are in a competitive situation as well, having need to obtain and hold superior faculty if we are to maintain the standards of educational excellence which we have set for ourselves.

Although we have stressed the needs of higher education, we also have a grave responsibility to assure training in vocational-technical lines to those young Montanans whose talents are other than academic.

One of the greatest demands in today's industrial world is for persons with vocational-technical skills. We must offer our youth this added opportunity to achieve success.

Many months ago, we proposed a strengthened vocational-technical program at Northern Montana College and steps have been taken to accomplish this.

I ask that this legislature study and consider the addition of a vocational-technical program in our high schools. This could be undertaken on an area basis. Financing could be made available from within our state assistance school foundation program and by way of tuition payments from other school districts.

The budget for custodial institutions is in excess of \$22,500,000. In general fund support, this represents an increase of more than \$3,200,000 over the present biennium.

This increase in funds represents another stride forward in helping to solve problems which have accumulated over many years.

These funds will pay higher salaries for present staff, will provide long needed additional professional personnel and will make possible new services for the rehabilitation of those persons living in our custodial units.

All of us have been much concerned over the state of our public institutions. You will find that the suggested operational budget, together with the proposed building program, will solve our institutional problems.

Here is a point I cannot emphasize enough to you and to all of the people of Montana.

In total appropriation, the only areas of state government receiving a budget increase from the general fund are those of education and public institutions.

In other words, all new revenues not previously available to the general fund . . . specifically \$16,000,000 . . . are being allocated for the next biennium solely in these two areas.

I ask you to remember that these are the specific two areas of state government activity which most stand to benefit from the proposed \$17,-000,000 building program as well.

Let me emphasize, also, that health and welfare, public safety, public institutions and education take 90 percent of all general fund revenues.

This means that expenditures for all other state government agencies, for legislative costs and for salaries for district judges and county attorneys total only 10 percent of our general fund monies.

By now it must be apparent to you that maximum effort has been made to meet the well justified needs of education and public institutions.

However, the requirements of these two phases of state government make it necessary that we seek some added funds if we are to assume and meet our obligations.

For this reason, I am recommending a minor change in our present Withholding Tax Program. This would be the placing of a Service Charge Fee of \$5.00 on all Withholding Tax Forms. For those persons now paying taxes, it would be a nominal increase, without altering our present rate schedule. For those persons making a minimum or no payment, it would be a valid \$5.00 charge for the processing of claims.

This would produce slightly less than \$2,500,000 for the biennium and would make it possible to finance all present state programs. It would mean for us, as well, that our budget would remain in balance.

We are fortunate today to stand at the threshold of a vitally needed long-range building program. This is the program to which I referred a few moments ago.

It is designed primarily . . . but not totally . . . to place new buildings on our campuses and at the sites of our custodial institutions.

Legislation has been prepared for your consideration which will permit the use of present tax revenues to finance such a building program.

The basis for this legislation is the revenue currently being returned from 3 cents of the present 8-cent tax on cigarettes. Those 3 cents have been earmarked for veterans bonus bonds.

Properly handled, the necessary funds can be available to us immediately and will in no way jeopardize the bonus bonds presently outstanding.

The proposal offers a firm basis for satisfying building needs for all state programs because the funds will be tied to no specific function other than that of buildings.

Projects undertaken will be subject to the scrutiny of every legislature.

Revenue bonds may be expanded or reduced at each legislative session as building projects are approved.

I hope, sincerely, that all Montanans will share my desire to launch this sound and totally feasible program for our state.

An agency of state government which can be credited with much of the success our state is enjoying in the highly competitive field of economic development is our State Planning Board.

Evidence of that development is a statement from a preliminary report released recently by the U. S. Department of Commerce, Bureau of Census. It says:

"Expenditure for plants and equipment in Montana in 1963, measured in terms of new investment per employee, was three times as great as for the entire country and was topped only by Alaska, highest in the U. S. and Wyoming."

We need to take full advantage of Montana's potential for economic growth. For this reason, I am recommending that we alter and strengthen the State Planning Board.

I recommend legislation to create in its place a State Industrial Planning Commission, separated from the Planning Board's present affiliate . . . the State Water Board.

In addition, I propose that the office of the State Engineer and the State Water Board be combined in the interests of practical efficiency and mutual function.

I suggest that both the State Industrial Planning Commission and the State Water Board have separate 5-member executive committees.

In addition, I ask that the State Industrial Planning Commission have available to it the services of an advisory group appointed from throughout the state.

As it is to every state, economic growth is essential to Montana's future development. We must update and improve our industrial planning. We also must provide a firm program for retaining a good share of Montana's water resources, because these are vital to industrial development.

The proposed realignment of agencies will better enable us to set about the tasks confronting us and to capitalize upon our economic opportunities.

In this connection, it is evident that we must re-examine Montana's water development program, with an eye to flood control, irrigation and recreation. Over the years our state water development efforts have been effective and, in most cases, have been financially self liquidating. It is all too apparent today, however, that we must look to more than payments from water users only as a justifiable basis for state water projects.

I urge that this matter be given thorough study during this legislative session.

To turn to other matters, I am particularly concerned about the financial status of Montana's Unemployment Insurance Program. For the past eight years (1957-1964, inclusive) the Unemployment Compensation Trust Fund has been running a deficit.

This is the fund supported by Montana employers, which is used only to pay weekly benefits to eligible unemployed workers. Income from employers' contributions and interest on the fund during this period has fallen far short of meeting benefit payments. This condition persists despite the fact that the past three years have seen Montana's total employment and wages reach the highest level in our history, with the total unemployment rate at its lowest level.

I would ask the legislature to examine closely Montana's Unemployment Compensation Laws with a view to bringing the trust fund into balance so that income is equal to outgo.

In recent months, an issue has been raised that labor reform legis-

lation was in prospect during this session. What I said then, I repeat now. I see no need for it.

A year ago we accelerated our efforts in highway construction and today our highway program is current. Based on anticipated contracts, we will have sufficient revenues during the next biennium to finance all highway construction adequately.

Cash expenditures for highways in 1964 totaled \$68,700,000. This compares with \$61,900,000 in 1963.

Montana, with its large land area, has a major task in providing good highways. The highway department deserves commendation for the work it is accomplishing in the highway construction field.

In discussing highways, it is proper that I mention our highway safety program.

Montana has reason to be proud of its highway patrol and of the traffic safety efforts being undertaken, not only by the state, but also by civic organizations in many of our communities.

In 1963, we received a regional first place in competition with all other western states for the effectiveness of our highway safety programs.

In 1964, however, . . . even though the programs still function . . . we suffered a shocking and needlessly increased highway death toll.

It is obvious that legislative assistance is needed in protecting Montana's motoring public.

I propose to you that a maximum speed limit of 70 miles per hour . . . both day night . . . be enacted to apply to all four-lane controlled access highways in the state.

On today's modern highways, such as Montana enjoys, 70 miles per hour is recognized as a proper maximum speed.

A set speed limit, together with expanded driver training programs in our schools, can do much to prevent the loss of life and the pain and heartbreak caused by traffic accidents.

Montana has an obligation to its needy aged, which it failed to meet in 1963 because the issue became embroiled in politics.

We must not permit this to happen again. I urge you to submit and pass a medical care program for senior citizens in need. This should be Montana's own or we should adopt the Kerr-Mills Law.

Either program is totally feasible but it is vital that one be enacted.

Two years ago, in my message to the legislature, I emphasized the need for our Fish and Game Department to more closely align itself with the people of our state.

Effective strides in this direction have been taken under a department reorganization. This will continue to be a policy of my administration.

I will report to you that I support renewal of legislation which calls for agreement between the Highway Department and the Fish and Game Department as regards stream alterations in highway construction.

I urge again that legislation be enacted insuring that the people elect a Governor and a Lieutenant Governor from the same political party.

The citizens of this country chose to do this long ago as regards their president and vice president. In times of severe crisis, it has proved to be a safety measure more than once.

No matter his part, the Governor is entitled to a lieutenant governor who shares his philosophy and who will work and counsel with him.

Government . . . Montana's biggest business . . . is too serious an undertaking for this to be otherwise.

Former Montana Governors have not always had my good fortune to have as my second-in-command from the opposite party a person who recognizes the grave responsibilities of the Governor's Office and his own.

The year 1964, with its flood disaster in the spring and the paralyzing blizzards in southeastern Montana this winter, once again proved the worth of the Montana National Guard and of the Civil Defense agencies attached to it.

Testimony to the outstanding rescue and other work of the officers and the men of these agencies comes best from those whom they served during two times of severe hardship. They have received and are entitled to high praise, not only from individuals but also from county, state and federal agencies.

The Montana National Guard is Montana's chief manpower source in time of disaster and ours carries a rating as one of the best trained Guard units in the United States. In the future, it is possible that the National Guard may have even greater responsibilities, both in civilian crisis and in national defense, should the federal edict regarding the reserves be upheld.

Knowing the fine work it is doing, the point of readiness it has attained and the dedication of its personnel, I take this opportunity to commend the Montana National Guard. All Montana can be proud of it.

Our territorial centennial year has ended but the many months of planning which preceded it provided a year-long celebration the equal of any of its kind in the country. In every way . . . and by any comparison with that of any other state . . . our territorial centennial year was a conspicuous success.

The \$200,000 which the 1963 legislature, by almost unanimous consent, chose to invest in the celebration, was repaid many times over. The 1964 Rose Bowl Parade in Pasadena, which featured a prize winning Montana float and the exciting Montana Territorial Centennial Band, was the first of many events which focused national attention on our state.

Montana communities entered enthusiastically into the celebration, staging pageants and other productions of their own . . . events which brought Montanans closer together as they relived the state's colorful past.

No political commentary ever will convince the 300 bi-partisan Montanans who traveled east with the Centennial Train that this undertaking was anything but totally worthwhile.

These were Montana people . . . salesmen for Montana . . . visiting thousands of fellow Americans in some of the major cities in our country to tell them person-to-person about our state.

The Centennial Train exhibit at the New York World's Fair was one of the best received state displays on the grounds. Unexpected financial loss by the fair itself reflected on the exhibits but with one year remaining to succeed, both the fair and the Montana display may yet emerge from a deficit situation.

As reported 90 days ago, and substantiated by a nationally recognized auditing firm, approximately \$150,000 is owing on the Centennial Train exhibit at the New York World's Fair.

I believe this can be obtained from private sources and I am making no requests to the legislature that it appropriate funds to keep the Montana exhibit functioning in 1965.

Looking back on what was set in motion by the \$200,000 centennial

year appropriation, one can only be convinced that it was a wise and worthwhile investment in Montana's future.

The nationwide attention which our state received and the good will we generated . . . not to mention what we ourselves learned about Montana and its people . . . is worth many times \$200,000.

This was an investment which will continue to accrue to us in the months and years ahead . . . an investment which continues to work for us.

Only once in 100 years does a Governor have the opportunity to report on a centennial celebration. Again, this was a bi-partisan effort and I congratulate the 1963 legislature and its membership on making the Montana Territorial Centennial celebration a reality.

Our centennial year effort and the favorable attention it brought Montana nationally once again points up the value of our vacation industry. Travel is the state's third largest revenue producer, annually bringing us a return exceeding \$100,000,000.

We must continue to encourage this phase of economic activity . . . to make Montana known as one of the finest vacation states of all.

For this reason . . . and for the reason that the State Advertising Department has become an enormously effective agency in the national travel field . . . I am recommending an increased appropriation for state advertising purposes. It is an increase which has been approved by the Highway Commission, under which the department serves.

On the topic of state advertising and travel promotion, I again endorse the efforts by Boy Scout leaders in Montana who are working on plans to have Montana designated the meeting place for the 1968 . . . or later . . . National Boy Scouts Jamboree.

The Boy Scout Jamboree attracts tens of thousands of boys and few events could bring Montana more good will and national prominence.

I have one additional recommendation.

As our economy grows and changes, we will find increasing need for up-to-date measurements of our tax and economic bases. If we are to achieve equity in the financing of our state programs, it is absolutely necessary that we know what kind of burdens we are placing on our economy.

For this reason, I urge legislative endorsement of a task force group working during the next two years to assess present taxes and to determine their degree of fairness to our taxpayers. The group would be expected to submit recommended changes at the next legislative session.

The proposed task force would be comprised by representatives from agriculture, industry, labor and government.

Montana has no existing problems which it cannot surmount. The program I have presented to you today is economically sound, totally feasible and well within our grasp.

With your support and endorsement of this program, Montana can take giant strides forward in such vital areas as education, public institutions, economic development and modernized and efficient government.

As you discuss the legislation which will be presented to you during the next 60 days, I encourage you to view it with all of Montana, all of its people and all of its economic divisions in mind.

Every economic segment contributing to the growth and prosperity of our state deserves your serious study and consideration before decisions are made.

Ultimately, your greatest satisfaction from serving in this legislature will be to say:

"This I helped achieve for Montana."

Unless there is achievement, this cannot be said.

My office is open to all of you and I will be pleased to give every assistance possible on any state matter. Furthermore, you have the full cooperation of my staff and our department heads, who will be available to this body or its committees on call.

I ask that you join me in earnestly seeking the blessings of the Supreme Being that through our own seriousness of purpose and intelligent consideration of the important matters to come before us we may accomplish the things good for the State of Montana and its people.

Following the Governor's speech it was moved by Senator Dussault and carried, that one thousand copies of the Governor's message be printed and distributed to the members of the House and Senate, and to other State offices and interested parties. Motion carried.

Benediction was given by the Chaplain.

The Governor having been escorted from the chamber, it was moved by Senator Dussault that the joint assembly be dissolved and that the members of the Senate return to the Senate chambers.

The joint assembly having been dissolved, the House resumed business. Mr. Speaker in the Chair.

Mr. Speaker: We, the Committee on Rules and Journal, having examined the Journal for the First Legislative Day, find the same to be correct.

CEROVSKI, Chairman

REPORTS OF STANDING COMMITTEES

January 5, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 1 and 2, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman

Motion was made by Bashor, Toole, to change House Bill No. 9 from Public Health to Labor and Compensation. Motion carried.

Motion was made by Cerovski to suspend House rules temporarily in order to place House Bills Nos. 1 and 2 on Second Reading. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read and referred to committee:

House Bill No. 18 introduced by Hanks, Aasheim, Judge, Rehberg: A bill for an act entitled: "An act changing the name of 'The University of Montana' to 'The Montana System of Higher Education,' 'Montana State University' to 'University of Montana,' 'Montana State College' to 'Montana State University,' 'Montana School of Mines' to 'Montana College of Mineral Science and Technology,' 'Western Montana College of Education' to 'Western Montana College,' and 'Eastern Montana College of Education' to 'Eastern Montana College'; amending sections 75-401, 75-402, R.C.M. 1947; repealing section 75-402.1, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 19 introduced by Judge, Lucas, Flynn, Crum, Haines, Fischer, Gill: A bill for an act entitled: "An act to provide for medical

assistance for the aged in conformity with Title I of the Federal Social Security Act of 1935, as amended; providing for the administration of the act by the State Department of Public Welfare and the County Departments of Public Welfare; Providing eligibility requirements for assistance under the act; providing for counties' share of participation under the act; and amending sections 71-106, 71-211, 71-216, 71-230, 71-241, 71-308, 71-309, 71-402, 71-405 and 71-406, R.C.M., 1947, to provide vendor payment of medical care for recipients of old age assistance." Referred to Committee on Judiciary.

House Bill No. 20 introduced by Smiley, Lund, Crum, James: A bill for an act entitled: "An act changing the name of 'Montana State College' to 'Montana State University,' 'Montana State University' to 'University of Montana,' 'Montana School of Mines' to 'Montana College of Mineral Science and Technology,' and 'University of Montana' to 'Montana System of Higher Education'; amending section 75-402, R.C.M. 1947; and repealing sections 75-401 and 402.1, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 21 introduced by Tracy, Lombardi, Flynn, Cregg, Shugrue: A bill for an act entitled: "An act to provide for the welfare of people who work; establishing a minimum wage in the State of Montana; defining terms; providing for the keeping of records; providing civil remedy; providing penalties; repealing conflicting acts; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 22 introduced by Watt, Sheehy, Rehberg, Fischer, Lucas, James, Shugrue, McNamara: A bill for an act entitled: "An act amending section 16-2618 R.C.M. 1947 to provide for the investment of moneys of first class school districts and county high schools." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Aasheim, Sheridan, took the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading of Bills (Committee of the Whole), recommend the following:

That House Bill No. 1 do pass.

That House Bill No. 2 do pass.

AASHEIM, Chairman

Report adopted.

Motion was made by Cerovski to revert to Order of Business No. 6 to suspend rule of House in order to place House Bills 1 and 2 on third reading. Motion carried.

THIRD READING OF BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measure having been read at length:

House Bill No. 1 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg,

Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

House Bill No. 2 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Absent or not voting: None.

Excused: None.

REPORTS OF STANDING COMMITTEES

The Speaker made the following changes in Standing Committees:

Bills: Mrs. R. H. James

Education: Elmer Schye (removed)
Vic East

Highways: Vic East (removed)
Elmer Schye

Cerovski made a motion that the House adjourn until 10:00 a.m. Wednesday, January 6, 1965. Motion carried.

House adjourned.

WALTER MARSHALL, Chief Clerk

RAY WAYRYNEN, Speaker

THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 6, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present, except Bardanoue, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Second Legislative Day, find the same to be correct.

CEROVSKI, Chairman

REPORTS OF STANDING COMMITTEES

January 6, 1965

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following be employed:

Proofreaders:

Charlene Paulson	Mrs. Jane Kufeld
Rose Ann Walker	Inez Scow
Mrs. Margaret Crennen	William Barrett

Typists:

Dolores Wordal	Mary Lou Fink
Reta Featherly	Sharon Byrd

Stenographers:

Jo Woods	Sue Hall Coburn
Ann Lowney	Kay Kennedy
Jean Nelson	Virginia Michels
Jerry Williams	

BASHOR, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 23, introduced by Gerke, Sheehy, O'Leary, Felt: A bill for an act entitled: "An act amending section 66-512, R.C.M. 1947, to increase the maximum fee for renewal of chiropractor's licenses to twenty-five dollars (\$25.00) and to require persons licensed to practice chiropractic to attend annually an education program." Referred to Committee on Business and Industry.

House Bill No. 24, introduced by Harper, Broeder, Gilfeather, Willits, Cеровski, Gerke, Slaby, Twedt, O'Hair, Johnson, Gilligan, McDonald, Gunderson, Holtz, Obstarczyk, Judge: A bill for an act entitled: "An act requiring that meetings of public agencies shall be open to the public and press; and repealing sections 82-3401, 82-3402, 82-3403, R.C.M. 1947, enacted as sections 1, 2 and 3, respectively, Chapter 159, Laws of 1963." Referred to Committee on State Administration.

House Bill No. 25, introduced by Haines, Tracy, Watt: A bill for an act entitled: "An act providing for psychological testing services in the public schools of the state in accordance with the provisions of Chapter 50 of Title 75 of the Revised Codes of Montana, 1947; amending Section 75-5001, R.C.M. 1947, by defining learning problems." Referred to Committee on Education.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

The following house joint resolutions were introduced, read for first time, and referred to committees:

House Joint Resolution No. 4, introduced by Watt, Judge, Gill, Jensen, Zimmer, O'Hair, Haines, Cregg, Nichols, Deschamps: A joint resolution of the Senate and House of Representatives directing the Montana Highway Commission to conduct a comprehensive study of the feasibility of a multipurpose tunnel in the vicinity of McDonald Pass. Referred to Committee on Highways.

A joint Resolution of the Senate and House of Representatives providing that notice of all public hearings by Legislative Committees be posted. Referred to Committee on Legislative Administration.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 26, introduced by Deschamps, Zimmer, Meccage, Cregg: A bill for an act entitled: "An act providing for the licensing of livestock markets; amending sections 46-906, 46-910, and 46-912, R. C. M. 1947; and repealing sections 46-908 and 46-909, R. C. M. 1947." Referred to Committee on Business and Industry.

House Bill No. 27, introduced by Haines: A bill for an act entitled: "An act appropriating three million dollars for the construction of a library building for Montana State University." Referred to Committee on Appropriations.

House Bill No. 28, introduced by Gerke, Sheehy, O'Leary, Leuthold, Asbjornson, Jensen: A bill for an act entitled: "An act amending section 32-21-113, R. C. M. 1947, to prohibit the shooting of firearms across any public highway in the state of Montana." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 29, introduced by Gerke, Sheehy, O'Leary, Schepens, Jensen, Leuthold, Asbjornson: A bill for an act entitled: "An act making it unlawful to hunt with firearms while intoxicated or under the influence of narcotic drugs and providing a punishment therefor." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 30, introduced by Harper, O'Hair, Judge, McNamara: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by a recipient of retirement benefits, or a widow not gainfully employed to such an extent as would render him ineligible for social security benefits; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 31, introduced by Judge, Tracy, McNamara, Harper: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to

provide for a new classification relative to improvements on real property owned and occupied by recipients of social security benefits, a widow, or one over the age of sixty-two (62) years not gainfully employed, to such an extent as would render him ineligible for social security benefits; repealing all acts and parts of acts in conflict therewith; and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 32, introduced by Watt: A bill for an act entitled: "An act providing for an earmarked account within the general fund reserve of school districts." Referred to Committee on Education.

House Bill No. 33, introduced by Schepens, Bollinger, Prevost, Lucas: A bill for an act entitled: "An act amending Sections 11-2010, 11-3523 and 11-1901, R. C. M. 1947, to allow fire districts and incorporated municipalities to enter mutual aid agreements with certain public and private agencies." Referred to Committee on Affairs of Cities.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE OTHER HOUSE

January 6, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 1, introduced by the Appropriations Committee, was this day read third time and concurred in as amended, title and history agreed to and the same is herewith returned to the House for concurrence in Senate amendments; and further, that House Bill No. 2, introduced by the Appropriations Committee, was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the house.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Bashor of Toole in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendment to House Bill No. 1 be concurred in.

BASHOR, Chairman

Report adopted.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 1 were concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bashor, Boughton, Brenner, Broeder,

Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Judge, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 74.

Noes: None.

Absent or not voting: Felt. Total 1.

Excused: Asbjornson, Bardanouve, Bollinger, Cregg, Egan, Eskildsen, Haines, Harper, Jenkins, Johnson, Laas, Leuthold, McOmber, Nichols, Obstarzyk, Raundal, Spilde, Twedt, Wayrynen. Total 19.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Thursday, January 7, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk.

FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 7, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Garrison, Egan, Spilde, Raundal and Nichols, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Third Legislative Day, find the same to be correct.

CEROVSKI, Chairman

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 34, introduced by Harper, Meccage, Stranahan: A bill for an act entitled: "An act amending Section 43-310, R. C. M. 1947, to provide that members of the legislative assembly shall receive, in addition to present per diem, reimbursements for expenses incurred in attending the session." Referred to Committee on Appropriations.

House Bill No. 35, introduced by Sheehy, Lucas, Felt, McNamer, Cerovski: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the laws of Montana Replacement Volume Number 6 (in two parts) and Replacement Volume Number 7 of the Revised Codes of Montana, 1947, as published by the publishers and distributors of said codes." Referred to Committee on Judiciary.

House Bill No. 36, introduced by O'Leary, McNamer, Gerke, Sheehy: A bill for an act entitled: "An act repealing Section 17-1201, R. C. M. 1947, which is the prohibition against civil causes of action for alienation of affections of husband or wife." Referred to Committee on Judiciary.

House Bill No. 37, introduced by Lucas, Schepens, Bailey, Ulmer, Cerovski, Broeder, Meccage, Atkins, Gerke, Asbjornson: A bill for an act entitled: "An act providing for the creation and establishment of community college districts, directing state board of education to supervise community colleges and junior colleges; providing for elections to create community college districts; providing for governing board of community college districts and for the election, terms and qualifications of its trustees; providing

for powers of board of trustees and powers of community college districts; providing authority for, and financing of, maintenance and operations and capital improvements of community college districts; providing for instruction to be offered by community and junior colleges; authorizing negotiations with school districts for property and providing for adult education courses and exchange of teachers; providing that present junior colleges may be established as community colleges and community college districts; and providing for annexation of additional areas to community college districts; repealing Sections 75-4401, 75-4402, 75-4403, 75-4404, 75-4405, 75-4406, 75-4407, 75-4408, 75-4409, 75-4410, 75-4411, 75-4412, R. C. M. 1947." Referred to Committee on Education.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 7, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 1 and 2.

HARPER, Chairman

Mr. Speaker: I have examined House Bill No. 1, as amended, introduced by me and find the same to be correct.

BARDANOUE

Mr. Speaker: I have examined House Bill No. 2 introduced by me and find the same to be correct.

BARDANOUE

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 1 and 2.

FIRST READING AND COMMITMENT OF BILLS

House Bill No. 38, introduced by Hanks, Lucas: A bill for an act entitled: "An act relating to surety bonds for state officers and employees: providing that the state controller shall purchase all surety bonds for state officers and employees; establishing requirements and procedures for the purchase of such bonds; amending Sections 5-602, 6-325, 6-326, 6-331, 3-103, 3-205, 4-106, 4-110, 5-603, 26-102, 26-111, 26-115, 27-404, 32-1601, 32-1602, 40-1727, 41-1603, 44-404, 53-101, 66-407, 66-514, 66-904, 66-1505, 66-2203, 66-2333, 71-202, 71-203, 72-102, 75-303, 75-1301, 75-2703, 77-120, 80-1205, 81-201, 81-208, 81-1403, 81-2010, 81-2013, 82-107, 82-601, 82-1230, 82-3105, 89-103, 89-118, 90-122, R. C. M. 1947; and repealing Sections 3-407, 6-101, 6-102, 6-103, 6-104, 46-702, 66-810, 77-1004, 79-809, 82-404, 82-507, 82-1013, 82-1907, 82-2213, 92-106 and 92-107, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 39, introduced by Haines, Bardanoue, Flynn, Cregg, Lucas, McNamer, Hanks, Watt, Deschamps: A bill for an act entitled: "An act authorizing the use of electronic voting systems by counties, cities, and towns." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 40, introduced by Lucas, Felt, Bollinger, Fischer: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be arranged on the ballot so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote

for the governor or lieutenant-governor separately." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 41, introduced by Bollinger, Felt, Christiansen: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, amending Section 6 of Article XVI of said Constitution relating to the authorization of the legislative assembly to provide for the election or appointment of county, township, precinct and municipal officers, not otherwise in the Constitution, provided as public convenience may require, increasing the limit of time of office from two years to four years." Referred to Committee on Constitutions, Elections and Federal Relations.

Motion was made by Cerovski that the House adjourn until 11:30 a. m., Friday, January 8, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk.

FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 8, 1965

House convened, pursuant to adjournment, at 11:30 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Boughton, Brenner, Broeder, Garrison, Gerke, Gilligan, O'Leary, Pierce, Rygg, Schye, Swanz, Zimmer, excused.

COMMUNICATIONS AND PETITIONS

The following Civil Action No. 1214 was read at length at the request of the Speaker of the House:

Summons in a Civil Action

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA

Civil Action File No. 1214

PHOEBE R. HERWIG, in behalf of
herself and all other citizens and
electors of the State of Montana,
Plaintiff

v.

SUMMONS

THE THIRTY-NINTH LEGISLATIVE
ASSEMBLY OF THE STATE OF
MONTANA, TIM M. BABCOCK
as Governor of the State of Montana, and
FRANK MURRAY as Secretary of State of
the State of Montana,
Defendant

To the above named Defendant:

You are hereby summoned and required to serve upon A. L. LIBRA,

plaintiff's attorney, whose address is 317 Wheat Building, Box 1691, Helena, Montana, an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Clerk of Court

Deputy Clerk
(Seal of Court)

Date: January 7, 1965

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MONTANA

No. 1214

Helena Division

PHOEBE R. HERWEG, in behalf of
herself and all other citizens and
electors of the State of Montana,
Plaintiffs.

-vs-

THE THIRTY-NINTH LEGISLATIVE
ASSEMBLY OF THE STATE OF
MONTANA, TIM M. BABCOCK
as Governor of the State of
Montana, and FRANK MURRAY
as Secretary of State of the
State of Montana,
Defendants.

COMPLAINT

Plaintiff complains of Defendants, and for claim against them, states and alleges as follows:

1. This action arises under the Constitution of the United States, the Fourteenth Amendment, seeking declaratory and injunctive relief to regulate the actions of the Defendants as respects the right of Plaintiff and other electors of the State of Montana to have equal and proportionate representation in the Legislative Assembly of the State of Montana, and to enforce the requirements of law in connection therewith.

2. Plaintiff is a citizen and resident and taxpayer of the State of Montana, and a qualified and registered elector thereof, residing in the City of Butte in Silver Bow County, and registered to vote in the said Silver Bow County, representative of all citizens and electors in the State of Montana similarly situated, and bringing this suit in her and their behalf.

3. The Defendant Thirty-ninth Legislative Assembly of the State of Montana is the duly elected, acting, and qualified Legislative Assembly of the State of Montana, composed of fifty-six Senators, one from each county, and ninety-four Representatives, one or more from each county, all elected at the general election in the month of November, 1964, except for certain holdover Senators elected in 1962, said Legislative Assembly having been charged by the Constitution of the State of Montana with the legislative power of the State.

4. Defendant Tim M. Babcock is the duly elected, qualified, and acting Governor of the State of Montana, and Defendant Frank Murray is the duly elected, qualified, and acting Secretary of State of the State of Montana, both such officials having been elected to such positions at the general elec-

tion held in the State of Montana during the month of November, 1964, and as such are charged by law with certain duties relating to elections and legislation in the State of Montana.

By provision of the Constitution of Montana, Senators of the Montana Legislative Assembly are elected upon a purely geographical basis, without regard to population, Article V, Section 4, providing that there shall be no more than one Senator from each county; Article VI, Section 5, providing that each county then in existence should be entitled to one Senator and constitute a Senatorial district; and Article VI, Section 4, providing that each new county created shall be entitled to one Senator, but in no case shall a Senatorial district consist of more than one county, a similar provision, being enacted by statute, Sections 43-101 and 43-102, R. C. M. 1947.

6. A majority of the Senators in the Montana Legislative Assembly, twenty-nine of the fifty-six Senators, is elected by the twenty-nine least populated counties in the state, with total population of 108,656 persons according to the 1960 census, or about sixteen percent of the State of Montana's total population of approximately 675,000 people being able to elect a majority of the members of the Senate of the Montana Legislative Assembly.

7. By provision of the Constitution of Montana, Representatives of the Montana Legislative Assembly are elected upon a combined geographical and population basis, Article VI, Section 3, providing that no county shall be divided in the formation of Representative districts, that a Representative district may be composed of two or more counties, but if so, they shall be contiguous and the districts as compact as may be, and by provision of statute, Sections 43-103, 43-104, and 43-105, R. C. M. 1947, apportionment of Representatives is to be upon a ratio of one Representative for each 8,500 persons in a county, or fractional part thereof in excess of 4,250 persons, but also provides that each county shall be entitled to at least one member.

8. A majority of the members of the House of Representatives of the Montana Legislative Assembly, forty-eight of ninety-four members, is elected by forty-six of the least populated counties in the State of Montana, representing 275,762 persons out of the total state population of approximately 675,000, according to the 1960 census, or approximately forty percent of the population of the state being able to elect a majority of members of the House of Representatives.

9. Plaintiff and numerous other members of the class represented by her are grievously injured and damaged by the existing system of apportionment, as provided for by the Montana Constitution and by statutes enacted by the Montana Legislative Assembly, in that Senators of the Montana Legislative Assembly represent population ranging from a low of 894 persons to a high of 79,016 persons, or a ratio of approximately eighty-eight to one, and Representatives of the Montana Legislative Assembly represent varied population ranging from a low again of 894 persons to a high of approximately 12,000, or a ratio of approximately thirteen to one.

10. Defendant Thirty-ninth Legislative Assembly of the State of Montana is bound by the provisions of the Constitution of the State of Montana as aforesaid, is unable to process an amendment thereto prior to the general election in November, 1966, and if such procedure be followed, no reapportionment in accordance with law would be possible or practical until convening of the Montana Legislative Assembly in January, 1967, thereby causing Plaintiff's vote in future elections to be diluted and debased, and depriving Plaintiff and others of her class of the right to be properly represented in the Fortieth Legislative Assembly of the State of Montana, and resulting in discrimination against Plaintiff and others of her class, thereby rendering it necessary for this Court to declare and adjudge that those provisions of the Montana Constitution and Montana Statutes inconsistent with and repugnant to the requirements of the Constitution of the United States be declared null and void and adjudged to be of no force and effect.

11. Defendants herein, or at least some of them, have indicated an intention to seek to evade or postpone the requirement of full and fair reapportionment, or to seek to reapportion the Montana Legislative Assembly in some fashion other than in accordance with the principles laid down in decisions of the United States Supreme Court on this subject, and unless such actions be enjoined and restrained by this Court, Plaintiff and others of her class will suffer substantial and irreparable injury or less, by being discriminated against in all special and general elections hereafter.

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

1. That the provisions of the Constitution of Montana and the Montana statutes above described and in conflict with the United States Constitution be declared invalid and null and void.

2. That the duty of the Defendant Thirty-ninth Legislative Assembly to properly reapportion itself forthwith so as to be effective for the 1966 general election to be declared.

3. That the duty of the Defendant Thirty-ninth Legislative Assembly follow the principles of reapportionment laid down by decision of the Supreme Court of the United States be declared, and including the following:

a. The Legislative Assembly must at least approximate by bona fide attempt the creation of districts substantially related to population.

b. The seats in both houses of the Legislative Assembly shall be apportioned substantially on a population basis.

c. Deviation from the equal population principle in the apportionment of a state legislature is not sustainable as an attempt to balance urban and rural power in the legislature.

d. Such other principles as the Court may in justice and equity declare and prescribe.

4. That this Court exercise continuing jurisdiction and supervision and control over the reapportionment of the Montana Legislative Assembly, as may be necessary and appropriate to secure a just and fair apportionment consistent with the principles to be declared by the Court.

5. That Defendants be enjoined during the pendency of this action and permanently from taking any actions or proceedings which would prejudice the jurisdiction of this Court or the accomplishment of reapportionment as sought herein, from operating under or executing or enforcing the constitutional and statutory provisions complained of herein, and from calling any special or general election until such time as a plan of reapportionment be approved by this Court.

6. For such other and further relief as to the Court may seem just and equitable under the circumstances.

Dated this 6th day of January, 1965.

/s/ A. L. LIBRA

.....
A. L. Libra, Attorney for Plaintiffs
317 Wheat Building, Box 1691
Helena, Montana

STATE OF MONTANA }
County of Silver Bow } ss.

Phoebe R. Herweg, being first duly sworn upon her oath, deposes and states as follows:

That she resides in the City of Butte in Silver Bow County, Montana,

that she is the Plaintiff herein, that she has read the foregoing complaint and knows the contents thereof, and that the same are true of her own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters, she believes them to be true.

/s/ PHOEBE R. HERWEG
.....

Subscribed and sworn to before me this 6th day of January, 1965.

/s/ A. L. LIBRA,
.....

NOTARY PUBLIC FOR THE STATE OF MONTANA

Residing at Helena

My commission expires December 26, 1965

(SEAL)

Referred to Committee on Judiciary.

January 7, 1965

Mr. Walter Marshall, Chief Clerk
Helena, Montana

Dear Mr. Marshall:

Re our conversation of January 7th concerning titles of bills on covers of engrossed bills; the engrossing department will prepare covers with titles omitted. All engrossed bills from now on will show the number of the bill and the history to date.

Yours truly,

ETTA C. CUMMINGS,
Engrossing Clerk.

January 7, 1965

Mr. Walter Marshall, Chief Clerk
Helena, Montana

Dear Mr. Marshall:

Re our conversation of January 7th pertaining to titles of bills in Enrolling; we are following the new legislative rules which remove the title from the cover.

Sincerely,

MRS. LOUIS FORSELL,
Enrolling Clerk.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fourth Legislative Day, find the same to be correct.

ESKILDSEN, Vice-Chairman.

Report adopted.

January 7, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills were delivered to the Governor's office on January 7, 1965 at 2:10 p. m.:

House Bill No. 1

House Bill No. 2

HARPER, Chairman.

January 8, 1965

Mr. Speaker: We, your Committee on Education, having had under con-

sideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 be amended as follows:

That the original bill be amended in the introduction by adding the name "Smiley" following the name "Hanks."

On Line 30, Page 1 of the original bill the words "shall be" added following the word "Education."

And, as amended, do pass.

AASHEIM, Chairman.

Report adopted.

January 8, 1965

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do not pass.

AASHEIM, Chairman.

Report adopted. .

MESSAGES FROM THE GOVERNOR

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 1—Introduced by Appropriations Committee.

House Bill No. 2—Introduced by Appropriations Committee.

Sincerely yours,

TIM BABCOCK
Governor.

MOTIONS AND RESOLUTIONS

The following House Joint Resolutions were introduced, read first time and referred to committees:

House Joint Resolution No. 6, introduced by Boughton, Lucas, Smith, Tooke, Falkenstein, Ulmer, East: A Joint Resolution of the Senate and House of Representatives asking that the President and Congress be vigilant in maintaining quotas on imported meat or meat products and requesting rigid inspection requirements for imported meat or meat products. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 7, introduced by Lucas, McOmber, Stranahan, Bashor, Crum: A Joint Resolution of the House of Representatives and the Senate of the State of Montana making application to the Congress of the United States to call a convention for the purpose of amending the Constitution of the United States so as to provide that a state having a bicameral legislature may apportion membership in one house of its legislature on other than a population basis. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 8, introduced by Smiley, Stranahan, Woodward, Bashor, Lucas, McOmber, Crum: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting and urging that the Congress of the United States propose an amendment to the Constitution of the United States as provided in Article V of the Constitu-

tion of the United States providing that a state having a bicameral legislature may apportion membership in one house of the legislature on other than a population basis. Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 1, introduced by Sheehy, Gill: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly providing that the Fish and Game Committee of the House investigate and determine the circumstances surrounding the reputed transfer of \$58,000 of Fish and Game funds, and report its finding orally and in writing to the House and the Appropriations Committee of the House on or before the thirtieth day, for the purpose of aiding the Appropriations Committee in fixing and defining the uses and purposes of appropriations in this Assembly. Referred to Committee on Fish and Game.

House Resolution No. 2, introduced by Bashor, Sheehy: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly to strive for a better people's climate. Referred to Committee on Public Health, Welfare and Safety.

FIRST READING OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 42, introduced by Watt, Cregg, Nefzger, O'Hair, Haines, Mather: A bill for an act entitled: "An act amending Section 94-2505, R. C. M. 1947, by deleting reference to the death penalty for murder in the first degree, amending Section 94-8001, R. C. M. 1947, by deleting reference to the death judgment, and repealing Sections 94-8007 through 94-8018, R. C. M. 1947." Referred to Committee on Judiciary.

House Bill No. 43, introduced by Haines, Smiley, Watt, Hanks, James, Deschamps, Cregg, Flynn: A bill for an act entitled: "An act appropriating moneys to the six units of the University of Montana for library acquisitions." Referred to Committee on Appropriations.

House Bill No. 44, introduced by Fischer, Delano: A bill for an act entitled: "An act defining fox as a predatory animal; and amending Section 26-201, R. C. M. 1947." Referred to Committee on Fish and Game.

House Bill No. 45, introduced by Sheehy: A bill for an act entitled: "An act to amend Section 40-4027, Revised Codes of Montana, 1947, by adding thereto a paragraph providing that in disability insurance policies, excepting accident only disability insurance policies, if any such policy has been in effect for two years, such policy shall be renewable at the option of the insured upon the same premium, terms and conditions, and not cancellable except for non-payment of premium if the insured attains age sixty-five or over while such policy is in effect and further providing that the insured may not waive the inclusion of this provision in such policy." Referred to Committee on Business and Industry.

Motion was made by Cerovski that the House adjourn until 12:00 noon, Monday, January 11, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 11, 1965

House convened, pursuant to adjournment, at 12:00 noon.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members present except Brenner, Gill and Sheehy, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifth Legislative Day find the same to be correct.

CEROVSKI, Chairman

COMMUNICATIONS AND PETITIONS

January 11, 1965

Honorable Ray J. Wayrynen
Speaker of the House
The Capitol
Helena, Montana

Dear Mr. Wayrynen:

The State Auditor wishes to advise that the Mileage Warrants are ready.

Very truly yours,

E. V. "Sonny" Omholt
State Auditor & Ex Officio
Commissioner of Insurance

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We of the Legislative Administration Committee recommend the following be employed by the House:

Dorothy Tode—Proof Reader
Mary Alice Harrell—Proof Reader
Mrs. Imogene Hansen—Proof Reader
Tom Mulholland—Typist
Peggy Moyle—Typist
Jean Daugherty—Typist
Mrs. Louise Fulbright—Stenographer
Shirley Davy—Stenographer
Evelyn Johnston—Stenographer
Joe Fritch—Mail Clerk
Bert Adair—Mail Clerk
Edmond Fahey—Doorman
Garry Wood—Mimeograph
Don R. Bieri—Guide

And further recommend that the following be removed from the employment list:

Mrs. Margaret Crennen—Proof Reader
Ann Lowney—Stenographer
Jerry Williams—Stenographer
Kay Kennedy
Ron Berry

And further recommend the following changes:

A. H. Klemme from Mail Clerk to Night Watchman
Patrick J. Brophy from Night Watchman to Mimeograph
Harvey Sanders from Mimeograph to Day Watchman
Mrs. Ruth Gronneberg from Stenographer to Law Clerk
Joseph B. Arts from Doorkeeper to Mail Clerk

LEONARD G. BASHOR, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

The following House Resolution was introduced, read first time and referred to committee:

House Resolution No. 3 introduced by Lucas, Felt, Tooke: A resolution of the House of Representatives to the Congress of the United States, the Montana congressional delegation, the United States Treasury Department, and the President of the United States requesting legislation authorizing the minting of silver dollars. Referred to Committee on Constitutions, Elections and Federal Relations.

FIRST READING AID COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 46 introduced by Nelson, Ulmer: A bill for an act entitled: "An act to amend Section 32-2173 of the Revised Codes of Montana, 1947, to require the driver of a motor vehicle entering a highway from an approach ramp to yield the right of way to all approaching traffic." Referred to Committee on Highways.

House Bill No. 47 introduced by Harper, Meccage, Schye, Haines and Nichols: A bill for an act entitled: "An act to require reporting of physical abuse of children." Referred to Committee on Judiciary.

House Bill No. 48 introduced by Lucas, Ulmer, Rehberg, Woodard, Asbjornson, Jensen, Loman: A bill for an act entitled: "An act to amend Section 75-2701, Revised Codes of Montana, 1947, as last amended by Chapter 209, Laws of Montana, 1963, relating to earnable compensation and average final compensation of the Teachers' Retirement System, State of Montana, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Administration.

House Bill No. 49 introduced by Sheehy, Deschamps, Shugrue, Tracy: A bill for an act entitled: "An act to amend Section 71-209 of the Public Welfare Act relating to submission of a budget and to amend Section 71-501 of the public welfare act relating to the age of eligibility for dependent children." Referred to Committee on State Administration.

House Bill No. 50 introduced by Lombardi, Shugrue, Healy, Tracy, Johnson, O'Leary, Gerke: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by recipients of social security benefits, a widow, or one over the age of sixty-two (62) years not gainfully employed, to such an extent as would render him ineligible for social security benefits; repealing all acts and parts of acts in conflict therewith; and providing for an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 51 introduced by Shugrue, Healy, Lombardi, Tracy, Johnson: A bill for an act entitled: "An act to provide assistance for the aged." Referred to Committee on Judiciary.

The Speaker stated that without opposition the House would revert to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 18, beg leave to report that the same have this date been returned from the printer correctly printed.

MARGARET SCHERF,
Vice-Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a. m., Tuesday, January 12, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 12, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Brenner, Gill, Jenkins and Sheehy, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eighth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the Speaker be authorized to appoint a Necrology Committee consisting of three members to memorialize those former members of this legislative body who have died during the past two years. Motion carried.

Thereupon, the Speaker appointed a committee consisting of Fischer, Chairman; Gilfeather, Vice-Chairman; and James.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 be amended as follows:

Amend the title in line 6, page 1 of the original bill by inserting after the word "university", the words "to be known as the Charles H. Clapp Memorial Library."

Amend Section 1 in line 11, page 1 of the original bill by striking the period after the word "university", and adding the words "to be known as the Charles H. Clapp Memorial Library."

And as amended, do not pass.

BARDANOUE, Chairman.

Motion was made by Bardanouve for adoption of the committee report. Substitute motion was made by Haines that House Bill No. 27 be printed and placed on second reading. After debate, Haines requested a roll call vote on the substitute motion and that the results thereof be recorded in the Journal. A sufficient number of seconds arose, and the substitute motion failed to carry by the following vote:

Ayes: Broeder, East, Garrison, Haines, Jensen, Loman, Lund, McNamer, Nutting, Pierce, Rehberg, Rygg, Sartz, Schye, Smith, Tooke, Twedt, Zimmer. Total 18.

Noes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Leary, Prevost, Raundal, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tracy, Ulmer, Watt, Williams, Willits, Woodard. Total 70.

Absent or not voting: O'Hair, Mr. Speaker. Total 2.

Excused: Brenner, Gill, Jenkins, Sheehy. Total 4.

Original motion by Bardanouve carried.

Report adopted.

Motion was made by Cerovski that the Speaker appoint a committee of five (5) members, made up entirely of Republicans to report in writing by the next legislative day the answers to the following questions:

1. How many assistants does the Governor employ in his office?
2. What is the salary and the duties of Hunter Martin, recently employed by the Governor?
3. What legality did the Fish and Game Commission have for appropriating \$57,881.04 to the Centennial Commission?
4. What duties have been assigned to the Bills Clerk, an office created in 1961?

Substitute motion was made by Felt that further consideration of the motion by Cerovski be postponed indefinitely. Question arose on the substitute and the motion was lost. Question arose on the original motion by Cerovski. Motion carried.

In accordance with the motion previously carried, the Speaker appointed the following committee: Lucas, Chairman; Felt, Vice-Chairman; Schye, Smiley and Selstad.

MOTIONS AND RESOLUTIONS

The following House Resolution was introduced, read first time and referred to committee:

House Joint Resolution No. 9, introduced by Nichols, Bardanouve, Eskildsen, Leuthold, Christiansen, Flynn, Ulmer, Lucas, Haines, Jenkins, Rehberg, Woodard, Loman, Jensen: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the Senate and to the Speaker of the House of Representatives of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; and to the Honorable Orville L. Freeman, Secretary of Agriculture, urging passage of legislation extending the Sugar Act, to protect the future economic sta-

bility of our domestic beet sugar industry and to allow an immediate increase in domestic quotas. Referred to Committee on Constitutions, Elections and Federal Relations.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 52, introduced by Zimmer, Christiansen, Meccage, Smith, Deschamps, Watt: A bill for an act entitled: "An act to prohibit the issuance of certificates of number for motorboats or vessels containing toilet facilities unless such toilet facilities are sealed." Referred to Committee on Business and Industry.

House Bill No. 53, introduced by Zimmer, Christiansen, Meccage, Smith, Deschamps, Watt: A bill for an act entitled: "An act to prevent water pollution by prohibiting the discharge of waste from boats and prohibiting the operation of boats containing open toilet facilities." Referred to Committee on Business and Industry.

House Bill No. 54, introduced by Haines: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 11, Article XI of the Constitution of Montana removing the elected officials from the State Board of Education." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 55, introduced by Aasheim, Raundal, Lucas, Twedt: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 9, Article XIX of the Constitution of Montana to permit not more than seven constitutional amendments to be submitted at the same election." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 56, introduced by Flynn, Cregg, Johnson, Deschamps, Haines, Watt, Lombardi, Shugrue, Cerovski, Tracy: A bill for an act entitled: "An act creating an air pollution control council, defining its powers and duties, defining 'air pollution' and other terms, providing for enforcement of the rules, regulations and orders of the council, and appropriating funds to carry out its provisions." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 57, introduced by Judge, Bardanouve: A bill for an act entitled: "An act appropriating moneys from the state parks account in the earmarked revenue fund to the State Highway Commission." Referred to Committee on Business and Industry.

House Bill No. 58, introduced by Judge, Pierce: A bill for an act entitled: "An act to amend Section 19-107, R. C. M. 1947, relating to legal holidays and business days and holidays for banks practicing Saturday closing." Referred to Committee on Business and Industry.

House Bill No. 59, introduced by Pierce, Judge: A bill for an act entitled: "An act to amend Sections 5-201 and 5-217, R. C. M. 1947, relating to articles of incorporation of a state bank and amendments to such articles and providing that articles of incorporation and amendments thereto may provide for a flexible number of directors of a state bank." Referred to Committee on Business and Industry.

House Bill No. 60, introduced by Zimmer, Shugrue, James, Schepens: A bill for an act entitled: "An act amending Sections 11-2007, 11-2022, 11-2023, 11-2024, 11-2025, 11-2029 and 11-2030, R. C. M. 1947, to establish a state pension plan for volunteer firemen; providing for funding and administration of said pension plan; prescribing requirements for participation in said pension plan; prescribing method of filing claims and making pension payments; providing for increase of the portion of premium taxes to be de-

posited in the earmarked revenue fund under Section 11-2030 from five per cent (5%) to fifteen per cent (15%) of said premium taxes collected from insurance companies authorized to effect insurance against risks enumerated in sub-section 2 of Section 11-1919 as shall remain after the amounts provided for by Section 11-1919 shall have been first deducted; providing for establishment of training programs for volunteer firemen to establish eligibility under said pension plan and providing for certificates showing participation in such training programs; requiring copies of the report of the Industrial Accident Board under Section 11-2099 to be made available to the chiefs or the representatives of volunteer fire companies; and providing for an effective date." Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

Amend Section 1 by striking out in lines 10 and 11 on page 2 of the printed bill, being line 23 on page 1 of the original bill, the words "System of Higher Education" and inserting in lieu thereof the words "University System".

Amend Section 1 by striking out in lines 13 and 14 on page 2 of the printed bill, being line 26 on page 1 of the original bill, the words "System of Higher Education" and inserting in lieu thereof the words "University System."

Amend Section 2 by striking out in line 4 of page 2 of the printed bill, being line 30 on page 1 of the original bill, the words "System of Higher Education" and inserting in lieu thereof the words "University System."

And as amended, do pass.

TWEDT, Chairman.

Twedt moved for adoption of the committee report. Substitute motion was made by Wayrynen that further consideration of House Bill No. 18 be postponed until further sitting. Motion carried.

Twedt moved the adoption of the Committee report. A substitute motion was made by Haines that House Bill No. 18 be segregated from the Committee of the Whole report. Motion lost.

Twedt moved for adoption of the Committee of the Whole report. Motion carried.

Motion was made by Cerovski that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 12, 1965

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 be amended as follows:

Between line 28 and 29, page 2 of the original bill "(6) Federal Agencies" and be further amended in Section 3, page 4, of the original bill, line 10 "(6) Federal Agencies".

And as amended, do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: Your Committee on Fish and Game, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do pass.

BAILEY, Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

The following House Joint Resolution was introduced, read for first time, and referred to committee:

House Joint Resolution No. 10, introduced by Flynn, Deschamps: A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council conduct a study of the feasibility and desirability of a state motor pool. Referred to Committee on State Administration.

The following letter was read by Harper:

January 12, 1965

Mr. Warren Harper, Chairman
Bills Committee
House of Representatives
Helena, Montana

Dear Mr. Harper:

At 5:00 p.m. January 11, 1965, difficulty was experienced in locking file cabinet A-13 (246) in the office of the Enrolling Clerk. Since it was impossible to lock this file, all material was transferred to the other file that could be locked. No difficulty had been experienced in locking this file Friday, January 8, 1965, although a slight difficulty was experienced in unlocking it the morning of January 11th, in that the lock was slow in releasing and necessitated a pulling action to bring it out, however, at this time no problem in locking was anticipated.

On the morning of January 12, 1965 a lock-repair man was called in and he reported that the lock on this file had been "jimmied," in that a spring had been changed to prevent locking of this file cabinet.

As Chief Clerk in the Enrolling Department, I hereby request the lock on the door be changed, and that only three keys be available, one for myself, one for my assistant, Mrs. Esther Schmidt, and one to be placed in the office of the Sergeant-at-Arms of the House of Representatives.

.....
DORIS FORSELL
Chief Enrolling Clerk.

cc: Walter Marshall, Chief Clerk of House of Representatives

Si Emmons, Sergeant-at-Arms of House of Representatives

Harper read the following Rules of Penalty as applicable to the above: Codes 94-2903, 94-2904, 43-318.

FIRST READING AND COMMITMENT OF BILLS

The following were introduced, read first time, and referred to committees:

House Bill No. 61, introduced by Gilligan, Lombardi, Sullivan, Johnson, Shugrue, Tracy, Slaby: A bill for an act entitled: "An act to amend Section 87-109, R. C. M. 1947, of the Unemployment Compensation Law; providing that employers' contributions shall be paid on ninety percent (90%) of all wages paid employees; repealing a superfluous paragraph which was amended into the statute by mistake; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 62, introduced by Watt, Haines, Tracy: A bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction for the biennium ending June 30, 1967; providing that this appropriation shall be used to provide psychological testing services only, pursuant to Title 75, Chapters 14 and 50, Revised Codes of Montana, 1947." Referred to Committee on Appropriations.

House Bill No. 63, introduced by Haines, Flynn, Deschamps, Watt, Cregg: A bill for an act entitled: "An act allowing municipalities to provide measures against excavations." Referred to Committee on Affairs of Cities.

House Bill No. 64, introduced by Gunderson, McDonald: A bill for an act entitled: "An act amending Section 75-1904, R. C. M. 1947, to provide for the cooperation of the public health nurse or school nurse in taking a census of handicapped children and providing that such a census be conducted at least once every four years as directed by the State Superintendent of Public Instruction in cooperation with the State Board of Health." Referred to Committee on Education.

House Bill No. 65, introduced by Prevost by request: A bill for an act entitled: "An act to amend Section 82-1519, R. C. M. 1947, to provide that the salary of the chairman of the State Board of Hail Insurance shall be fixed by the board; and containing an effective date." Referred to Committee on State Administration.

House Bill No. 66, introduced by McNamara, Delano: A bill for an act entitled: "An act to amend Section 31-114, R. C. M. 1947, which provides for disposition of fees, fines, and forfeitures collected from persons apprehended or arrested by highway patrolmen for highway violations; by providing that twenty-five percent (25%) of all such fees, fines and forfeitures shall be paid to the general fund of the county in which they are collected for the support of the Justice of the Peace courts and county law enforcement facilities." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 18 be amended as follows:

Amend the title in line 3 of the printed bill, being line 5 of the original bill, by striking out the words "System of Higher Education" and inserting in lieu thereof the words "University System".

Amend Section 1 by striking out in lines 10 and 11 on page 2 of the printed bill, being line 23 on page 1 of the original bill, the words "System of Higher Education" and inserting in lieu thereof the words "University System".

Amend Section 1 by striking out in lines 13 and 14 on page 2 of the printed bill, being line 26 on page 1 of the original bill, the words "System

of Higher Education" and inserting in lieu thereof the words "University System".

Amend Section 2 by striking out in line 4 of page 2 of the printed bill, being line 30 on page 1 of the original bill, the words "System of Higher Education" and inserting in lieu thereof the words "University System"; to further amend on line 4 of page 2 of the printed bill, being line 30 on page 1 of the original bill by striking the word "are".

And, as amended, do pass.

TWEDT, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Wednesday, January 13, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

TENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 13, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Speaker Pro Tem in the Chair. Invocation by Chaplain.

On roll call all members were present except Cregg, Brenner, Jenkins, Raundal, Sheehy, Wayrynen, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Ninth Legislative Day, find the same to be correct.

CEROVSKI, Chairman

REPORTS OF STANDING COMMITTEES

January 13, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 6, beg leave to report that the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman

MOTIONS AND RESOLUTIONS

The following House Resolution was introduced, read first time, and referred to Committee:

House Resolution No. 4 introduced by Hall, Gilligan, Flynn, Harper, Holtz, Judge, McDonald, Gunderson: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly requesting the Governor of the State of Montana to report to the House of Representatives, for the purpose of aiding the House of Representatives to determine funds available to the state of Montana for the forthcoming biennium, whether there is in fact a surplus in the general fund of the state of Montana and, if so, the amount thereof and the portion of the budget submitted by the Governor of the state of Montana wherein such surplus is set forth. Referred to Committee on Ways & Means.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 67, introduced by Deschamps: A bill for an act entitled: "An act to remove quotas on liquor and beer licenses; amending Sections 4-318, 4-333, 4-341, 4-403, 4-410, R. C. M. 1947." Referred to Committee on Public Health, Welfare & Safety.

House Bill No. 68, introduced by Fischer, Atkins, Pierce, Lucas: A bill for an act entitled: "An act to amend Section 26-202.3, R. C. M., 1947, to clarify the definition of a resident for hunting and fishing license purposes." Referred to Committee on Fish & Game.

House Bill No. 69, introduced by Fischer, Atkins, Lucas, Pierce: A bill for an act entitled: "An act to amend Section 26-217, R. C. M., 1947, providing for the application for license under the Montana fish and game laws, prescribing penalty for subscribing to any false statement in application for any license, or for altering or transferring any license, or for using or possessing any license which contains any false statement, and repealing Section 26-204, R. C. M., 1947." Referred to Committee on Fish & Game.

House Bill No. 70, introduced by Bailey, McDonald, Rygg, O'Hair, Nefzger, Jensen: A bill for an act entitled: "An act limiting the liability of a landowner or tenant to persons permitted to enter lands for recreational purposes, and defining recreational purposes." Referred to Committee on Judiciary.

House Bill No. 71, introduced by Twedt, Haines, Holtz, Schepens: A bill for an act entitled: "An act providing for the adoption of orderly procedures for establishing desirable employment practices for registered professional and licensed practical nurses employed in health care facilities; establishing procedures for developing employment standards; providing machinery and peaceful arbitration of disputes; providing rule making authority to the State Board of Health." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 72, introduced by Deschamps, Flynn, Egan, Watt: A bill for an act entitled: "An act to authorize the incorporation of development credit corporations for the purpose of promoting, developing, and advancing the prosperity and economic welfare of the state." Referred to Committee on State Administration.

House Bill No. 73, introduced by Jensen, Mather, Schepens, Lewis, Slaby, Spilde, Obstarczyk: A bill for an act entitled: "An act relating to the Public Employees' Retirement System and contracts between municipal corporations, counties and public agencies, and amending Section 68-301, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 74, introduced by Bailey, McDonald, O'Hair, Jensen: A bill for an act entitled: "An act providing for liability of a person on the land of another for any damages arising because of his negligence; and providing that the damage to the property shall be prima facie evidence of negligence." Referred to Committee on Judiciary.

House Bill No. 75, introduced by Highways Committee: A bill for an act entitled: "An act to establish uniform and modern regulations relating to brakes on vehicles; requiring brakes on all vehicles and specifying exceptions thereto; requiring vehicles to be equipped with both service and parking brakes; establishing performance ability of brakes; defining hydraulic brake fluid; authorizing patrol board to adopt brake fluid standards and specifications; prohibiting the sale of brake fluid which does not meet specifications; repealing Section 32-21-143, R. C. M. 1947, and all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Motion was made by Cerovski, and carried, that the House recess until 1:30 p.m. this day.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

January 13, 1965

House of Representatives
State of Montana

Please be advised that Representative Vic East has this day been relieved of membership on the House Education Committee.

RAY J. WAYRYNEN
Speaker of the House

January 13, 1965

The Honorable Tim Babcock
Governor
Capitol Building
Helena, Montana

Dear Governor Babcock:

It has come to the attention of the House of Representatives and the Montana Senate that His Excellency W. Ross Thatcher, premier of Saskatchewan, will be in Helena on January 30.

In order that we may give proper recognition to this event, we have agreed that we will set forth a special order of business at 12:00 o'clock noon on January 30 when the Senate and the House of Representatives will sit together in joint session for a thirty-minute order of business to receive any messages that Premier Thatcher may have for us at this time.

We have set forth this special order of business in anticipation that this will meet with your approval. If there are any further arrangements necessary relevant to this matter, we will hope to hear from you.

Sincerely,

RAY J. WAYRYNEN
Speaker of the House of
Representatives

SENATOR EDWARD DUSSAULT
Majority Leader
Montana Senate

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed:

House Bill No. 18

JAMES, Vice-Chairman

REPORTS OF SELECT COMMITTEES

Motion was made by Lucas that the House consider the report of the special committee previously requested by Cerovski. Substitute motion was made by Cerovski that the five-member Select Committee be referred to the Appropriations Committee. Division having been called for, 55 voted aye, 34 no. Substitute motion carried.

MOTIONS AND RESOLUTIONS

The following House Joint Resolution was introduced, read first time, and referred to committee:

House Joint Resolution No. 11, introduced by Eskildsen, Bardanouve, Nichols, Boughton, Nutting, Atkins, Meccage, Christiansen, Lucas, Prevost, Zimmer, Ulmer, Harper: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the United States, the Honorable Lyndon B. Johnson, the Congress of the United States, the administrator of the Veterans Administration, the Honorable William Driver and the Montana Congressional Delegation protesting the announced closure of the Veterans Administration Hospital located at Miles City, Montana. Referred to Committee on Constitutions, Elections and Federal Relations.

Motion was made by Jensen that House Bill No. 73 be removed from State Administration Committee and rereferred to Committee on Affairs of Cities. Motion carried.

Motion was made by Bardanouve that a special five-member Appropriations Subcommittee be appointed by the Speaker consisting of one member from the Appropriations Committee and four members from the House at large. This subcommittee is to carefully review all laws, and administrative rules in regard to abandoned and neglected children and orphans; to review all programs and policies of the Montana Welfare Department in regard to such children and review the future role of the Children's Center at Twin Bridges as an institution for so-called orphans. The committee to report back to the Appropriations Committee and such report or reports will also be made available to the entire membership of the House. Motion carried.

Without objection, the Speaker reverted to Order of Business No. 1.

The Speaker appointed the following Reapportionment Committee: Sheehy, Chairman; Stranahan, Vice-Chairman; Hall, Sullivan, Meccage, Scherf, Haines, Mather, Lund.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House suspend its rules to make the Committee on Reapportionment a standing committee of the House consisting of nine members. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 76, introduced by Deschamps, Hanks, Watt, Flynn, Rehberg, Haines: A bill for an act entitled: "An act providing for the unit ownership of multiple-unit buildings, and to be cited as the unit ownership act." Referred to Committee on Business and Industry.

House Bill No. 77, introduced by O'Hair, Cummings, Bailey, Tracy, Harper: A bill for an act entitled: "An act amending Section 26-202.1 to allow certain residents to hunt game birds without a license." Referred to Committee on Fish and Game.

House Bill No. 78, introduced by Egan, Felt, Bashor: A bill for an act entitled: "An act establishing a state merit system providing for the recruiting, examination, classification, compensation and dismissal of state employees; appropriating moneys for the operation of the State Merit System; amending Sections 3-105, 26-106, 26-107, 27-404, 31-105, 46-208, 53-101, 81-203 and 84-705, R. C. M. 1947; and repealing Sections 4-108, 25-504, 26-108, 26-116, 59-901, 59-902, 59-1201 through 59-1215, 80-707.2

through 80-707.5 and 82-1907, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 79, introduced by O'Leary, Atkins, Willits, Flynn: A bill for an act entitled: "An act to amend Section 87-109, R. C. M. 1947, of the Unemployment Compensation Law; by providing the employees' wages up to and including four thousand eight hundred dollars (\$4,800) are subject to employer contributions; repealing a superfluous paragraph which was unintentionally amended into the statute by Section 3, Chapter 269, Laws of 1963; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 80, introduced by Woodard, Rehberg: A bill for an act titled: "An act pertaining to the registration of motor vehicles; requiring removal of license plates from motor vehicles upon transfer of ownership; authorizing original owner to transfer license plates from original motor vehicle to another motor vehicle acquired during current registration year upon proper application and payment of fees and taxes, if any; requiring new application and registration for all motor vehicles transferred; and amending Sections 53-114, 53-106, 53-108, 53-109, 53-115, 53-119, 53-106.6 and 53-622, R. C. M. 1947." Referred to Committee on Business and Industry.

House Bill No. 81, introduced by Judge, Aasheim, Watt: A bill for an act entitled: "An act to amend Section 75-2707, R. C. M. 1947, pertaining to retirement at age of seventy of members of the Teachers' Retirement System, and providing the exception to required retirement." Referred to Committee on State Administration.

House Bill No. 82, introduced by Laas, Broeder: A bill for an act entitled: "An act providing for the disposition of, and creating, eliminating, and adjusting certain fees collected by the State Auditor, Department of Agriculture, State Board of Equalization, State Board of Health, Highway Patrol, Commissioner of State Lands and Investments, Board of Railroad Commissioners, Registrar of Motor Vehicles, and Superintendent of Public Instruction; amending Sections 3-2411, 3-2410, 3-2466, 3-2301, 3-2417, 3-2313, 3-2312, 69-1910, 84-2402, 84-2404, 84-2405, 84-2406, 84-2407, 69-518, 69-2905, 31-138, 53-420, 81-419, 81-1113, 81-423, 81-426, 8-108, 8-109, 8-110, 53-108, 53-110, 53-112, 53-113, 53-117, 53-122, 53-139, 75-2521 and 75-3503, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 83, introduced by Slaby, Lombardi, Haines, McNamara, Judge: A bill for an act entitled: "An act to protect local employees; prohibiting the employment, recruitment and furnishing of professional strike breakers; defining strikebreakers; prescribing penalties; providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 84, introduced by Leuthold, Nichols, Broeder, Hanks, Cerovski, Parker, Asbjornson, Haines, Nelson, MacCalman: A bill for an act entitled: "An act apportioning the Legislative Assembly; amending Sections 23-803, 23-910, 23-921, 23-929, 23-1109, 23-1111, 23-1807, 23-1812, 23-1904, 23-2402, and 23-2403, R. C. M. 1947; and repealing Sections 43-101, 43-102, 43-103, 43-104, 43-105, 43-106, 43-203, 43-204, 16-508, 16-518, 23-1809, 23-1810, and 23-1811, R. C. M. 1947." Referred to Committee on Reapportionment.

UNFINISHED BUSINESS

In accordance with the motion previously carried, the Speaker appointed the following subcommittee to work with the House Appropriations Committee:

Christiansen, Chairman; Deschamps, Vice-Chairman; McOmber, Rehberg, Loman.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Thursday, January 14, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk

ELEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 14, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except McOmber, Bollinger, Leuthold, Raundal, Egan, Nichols, Spilde, Brenner, Bardanouve, Sheehy, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Tenth Legislative Day, find the same to be correct.

ESKILDSEN, Vice-Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

January 13, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 33, beg leave to report that the same has this date been returned from the printer correctly printed.

HARPER, Chairman.

January 13, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 44, beg leave to report the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on State Administration having had under consideration House Joint Resolution No. 1, respectively report as follows: That House Joint Resolution No. 1 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 be amended as follows:

1. Amend page 2 of the original joint resolution in line 1 by deleting the word "ten" and inserting in lieu thereof the word "twelve".

2. Amend page 2 of the original joint resolution in line 3 by deleting the word "ten" and inserting in lieu thereof the word "twelve".

3. Amend page 2 of the original joint resolution in line 6 by deleting the word "ten" and inserting in lieu thereof the word "twelve".

4. Amend page 2 of the original joint resolution in line 16 by deleting the word "ten" and inserting in lieu thereof the word "twelve".

And as so amended, do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution No. 5 be amended as follows:

Be amended in the original House Joint Resolution No. 5 in line 16 by deleting the word "and".

Further amend by deleting lines 17, 18, 19 and 20, of the original bill.

Further amend page 1 on line 32 by deleting the word "and" of the original bill.

Further amend page 1 on line 32 by inserting the word "when" after the word "hearings," of the original bill.

Further amend on page 2 by deleting lines 1 and 2 of the original bill.

Further amend on page 2, line 1 by inserting the word "possible" of the original bill.

And as so amended, do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutions, Elections and Federal Relations having had under consideration House Joint Resolution No. 11, respectfully report as follows: That House Joint Resolution No. 11 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do pass.

GILFEATHER, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 be amended as follows:

1. Amend Section 1 of the original bill in line 9 by deleting the word "from" and inserting in lieu thereof the words "all moneys in".

2. Amend Section 1 of the original bill in line 9 by inserting between the word "account" and the "comma", the words "on the effective date of this act".

3. Amend Section 1 of the original bill in lines 10 and 11 by deleting the words and figures "two hundred eighty one thousand dollars (\$281,000)".

And as so amended, do pass.

JUDGE, Chairman.

Report adopted.

Motion was made by Judge that the House revert to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Motion was made by Judge that House Bill No. 57 be removed from Committee on Business and Industry and rereferred to Committee on Appropriations. Motion carried.

Motion was made by Eskildsen that House Bill No. 48 be removed from Committee on State Administration and rereferred to Committee on Education. Motion carried.

Motion was made by Eskildsen that House Bill No. 81 be removed from Committee on State Administration and rereferred to Committee on Education. Motion carried.

Motion was made by Bashor that House Bill No. 50 be removed from Committee on Public Health, Welfare and Safety and rereferred to Committee on Ways and Means. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

House Bill No. 85, introduced by Haines, Harper: A bill for an act entitled: "An act providing for the reporting of physical abuse of children; providing for action to be taken by the county Department of Public Welfare in cases where such reports are made; providing immunity from liability for those persons participating in making such reports; and providing for the admissibility of such reports into evidence in proceedings which result from the making of such reports." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Haines of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 6 do pass.

HAINES, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 18 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: None.

Paired: McOmber, Egan, aye; Haines, Deschamps, no.

Absent or not voting: Pierce, Garrison. Total 2.

Excused: Bollinger, Brenner, Leuthold, Nichols, Raundal, Sheehy, Spilde. Total 7.

Motion was made by Cerovski that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the reports of the five member Select Committee previously appointed be removed from Committee on Appropriations and rereferred to Committee on Fish and Game. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 86, introduced by Nutting, Mather, Tooke, Rehberg, Lucas, James: A bill for an act entitled: "An act requiring the inclusion of a fiscal note in all bills having an effect on the revenues, expenditures or fiscal liability of the state." Referred to Committee on State Administration.

House Bill No. 87, introduced by Christiansen, Watt, Smiley, Lund: A bill for an act entitled: "An act amending Sections 75-2516 and 75-2518, R. C. M. 1947, relating to certification of elementary teachers." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Haines of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business under Second Reading, recommend the following:

That House Bill No. 33 do pass.

That House Bill No. 44 do pass.

HAINES, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Friday, January 15. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

TWELFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 15, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Lucas, Brenner, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eleventh Legislative Day, find the same to be correct.

CEROVSKI, Chairman

Reported adopted.

REPORTS OF STANDING COMMITTEES

January 14, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolutions Nos. 11, 5, and 1, and House Bill No. 35, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 6, 33, 44.

JAMES, Vice-Chairman

January 15, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolution No. 3, beg leave to report that the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 do pass.

LAAS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do pass.

GILL, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 do pass.

GILL, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 do pass.

GILL, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 do pass.

BASHOR, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 do pass.

BASHOR, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 88, introduced by Mather, Jensen, Loman, Swanz, Meccage, Nefzger: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana for the repeal of Section

4 of Article V of the Constitution of the State of Montana and the adoption of a new Section 4, Article V of the Constitution of the State of Montana, relating to the apportionment, composition and membership of the Senate and House of Representatives and providing for the number of members of both houses, the size and number of districts from which they come, the weighting of votes of the Senators and Representatives in proportion to population by giving to each Senator and Representative one vote for each 1000 of population in his district, establishing maximum of 15 votes per Senator or Representative, providing for regular reapportionment, providing for staggered election of Senators and the means of accomplishment thereof and the time of their election and the terms thereof, providing for a binding construction on other phrases in the Constitution and Statutes of Montana on the meaning of such phrases as "by vote of the majority of the members" and other similar phrases, to mean weighted vote, requiring submission of all legislation in committees in both houses to be submitted to their respective legislative body for consideration, and modifying or repealing all rules, regulations, statutes or constitutional provisions in conflict herewith." Referred to Committee on Reapportionment.

House Bill No. 89, introduced by Pierce, Christiansen: A bill for an act entitled: "An act to provide the State Fish and Game Commission authority to enter into reciprocity agreements with any neighboring state for the mutual licensing of fishermen on any part of lakes and reservoirs within or partly within ten (10) miles of state boundaries." Referred to Committee on Fish and Game.

House Bill No. 90, introduced by Nutting, Mather, Dye, Casey: A bill for an act entitled: "An act amending Section 23-902 R. C. M. 1947, to change the date of the primary nominating election to the third Tuesday in September; amending Section 23-929 R. C. M. 1947, to change the time for holding the county convention made necessary by the change of the date of the primary nominating election; amending Section 23-932 R. C. M. 1947, to change the time for holding the state platform convention made necessary by the change of the date of the primary nominating election; amending Section 23-807, R. C. M. 1947, to provide the period for filing certificates of nomination with the Secretary of State and the County Clerk; amending Section 23-809, R. C. M. 1947, to provide the period in which the Secretary of State must certify to the County Clerks the names of persons nominated in certificates of nomination." Referred to Committee on Constitutions, Elections & Federal Relations.

House Bill No. 91, introduced by Aasheim, Jensen, Judge, Christiansen, Rygg, Holtz Slaby, Twedt: A bill for an act entitled: "An act to provide for driver education prescribing certain penalty assessments and driver's license fees for the financing thereof; creating an automobile driver education account in the earmarked revenue funds; providing for the duties of the Superintendent of Public Instruction; providing for the reimbursement to school districts and county high schools qualifying under this act; amending Section 31-114, R. C. M. 1947; amending Section 1, Chapter 149, Laws of 1961, compiled as Section 94-801.2, R. C. M. 1947; amending Section 32-1131, R. C. M. 1947; and providing a severability clause." Referred to Committee on Education.

House Bill No. 92, introduced by Aasheim, Christiansen, Rygg, Slaby: A bill for and act entitled: "An act concerning the age at which an operators license may be issued; amending Section 31-127, R. C. M. 1947." Referred to Committee on Highways.

House Bill No. 93, introduced by Wayrynen, Fischer: A bill for an act entitled: "An act providing that coroners in first and second class counties must be physicians; requiring county commissioners in first and second class counties to appoint the Coroner County Health Officer; and requiring appointment of a physician in first and second class counties to perform duties of the coroner if the coroner is absent or unable to perform the duties of the office; amending Sections 16-3405 and 69-701, R. C. M. 1947." Referred to Public Health, Welfare & Safety.

House Bill No. 94, introduced by McNamer, Bashor: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article IX of the Constitution of Montana excepting persons voting for president and vice-president from the one year residency requirement and providing that residency for such elections may be prescribed by law." Referred to Committee on Constitution, Elections & Federal Relations.

House Bill No. 95, introduced by McNamara, Watt, Bashor: A bill for an act entitled: "An act to amend Section 77-909 of the Revised Codes of Montana, 1947, as amended by Chapter 141, Section 1, Laws of 1957, relating to providing educational opportunities in the units of the greater universities of Montana for the children of members of the armed forces of the United States killed while in the armed forces of the United States or dying as a result of a disability or disease incurred while in said service during World War II and / or the Korean conflict; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Education.

House Bill No. 96, introduced by Holtz, Gunderson, Gilligan, Cummings, Willits: A bill for an act entitled: "An act to repeal the provisions of Title 92, Chapter 10, R. C. M., 1947, as amended; providing for the discontinuance of private insurance of the employers liability to pay compensation and benefits under the Workman's Compensation Act; repealing Plan II Coverage in industries electing to come within the Workman's Compensation Act: repealing Sections 92-1001, 92-1002, 92-1003, as amended; 92-1004 as amended, 92-1005, as amended, 92-1006, 92-1007, 92-1008 as amended, 92-1009, 92-1010, 92-1012, Revised Codes of Montana, 1947; providing for extension of the provisions of certain of the sections repealed to protect existing contracts and liabilities." Referred to Committee on Labor & Compensation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Mr. Nichols of Ravalli in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Joint Resolution No. 5 do pass.

That House Joint Resolution No. 11 do pass.

That House Bill No. 35 do pass.

NICHOLS, Chairman

Report adopted.

Motion was made by Cerovski that the House recess until 1:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolutions Nos. 11 and 5, and House Bill No. 35.

JAMES, Vice-Chairman

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 be amended on the original bill as follows:

On line 16 of the original bill delete the words "of the imported".

On line 17 of the original bill delete the words "meat and the date of exportation".

After Section 2 in the original bill insert a new Section 3 on line 18 to read as follows:

"Provide, however, that the provisions of Section 1 of this Act shall not apply to any person, firm or corporation who sells or offers for sale only canned, frozen, dehydrated or otherwise prepackaged meat or meat products, provided that such canned, frozen, dehydrated or otherwise prepackaged meat or meat products be marked as required by Section 2 hereof."

On line 18 of the original bill delete the words "Section 3".

On line 18 of the original bill show to read "Section 4".

On line 22 of the original bill delete the words "For each second and successive conviction of".

On the original bill delete all of lines 23, 24, 25 and 26.

Be it further amended on the original bill on line 22 after "thirty (30) days." insert:

"Anyone convicted of a second or successive violation of this act shall be fined not less than \$100.00 nor more than \$500.00 or be imprisoned in the county jail for not more than ninety (90) days or suffer both such fine and imprisonment."

And as amended, do pass.

BASHOR, Chairman

Report adopted.

Mr. Speaker: We, the majority on the Committee of Public Health, Welfare and Safety, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 do not pass.

BASHOR, Chairman

FISCHER

CRUM

TOOKE

JENSEN

SWANZ

ULMER

EAST

Motion was made by Bashor for adoption of the majority report.

Mr. Speaker: We, the minority on the Committee of Public Health, Welfare and Safety, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 do pass.

HEALY

HALL

SCHEPENS

FLYNN

MECCAGE

O'LEARY

PREVOST

Substitute motion was made by Christiansen for adoption of the minority report. Felt called for a roll call vote. Aasheim moved the previous

question. Substitute motion carried. Minority report adopted, 47 voting aye, and 42 voting no.

REPORTS OF SELECT COMMITTEES

The House Interim Committee Report to the Legislature was read at length.

Motion was made by Schye that 200 copies of the above report be mimeographed and placed on the desks of the House and Senate and be made available to other interested parties. Motion carried.

MOTIONS AND RESOLUTIONS

The following House Joint Resolution was introduced, read first time, and referred to committee:

House Joint Resolution No. 12, introduced by Wayrynen, Zimmer, Pierce, Shugrue, Lombardi, Healy, Tracy: A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council review, recodify, clarify and suggest improvements to the Montana fire code, reporting their findings and recommendations to the Fortieth Legislative Assembly. Referred to Committee on Affairs of Cities.

FIRST READING AND COMMITMENT OF BILLS

The following were introduced, read first time, appropriation measure at length, and referred to committees:

House Bill No. 97, introduced by Judge, Loman: A bill for an act entitled: "An act to amend Subsection (a) of Section 47-210, R. C. M. 1947, relating to the maximum rates of charge under the Montana consumer loan act and to amend Section 47-214, R. C. M. 1947, relating to insurance and authorizing that credit life insurance may be provided by a licensee and providing conditions concerning such insurance." Referred to Committee on Business and Industry.

House Bill No. 98, introduced by Johnson, Bardanouve: A bill for an act entitled: "An act to amend Section 80-1304, R. C. M. 1947 (Section 4, Chapter 213 of the Laws of 1963), pertaining to the assessment of per diem charges for the care and maintenance of inmates of state institutions against responsible persons and counties, by repealing Sub-sections 4 and 5 which provide for the assessing of charges for inmate care against the counties of the inmates' residence." Referred to Committee on State Administration.

House Bill No. 99, introduced by James, Christiansen, Watt, Lund: A bill for an act entitled: "An act amending Section 75-1625, 75-1630, 75-4146, and 75-4230, R. C. M. 1947, relating to the attendance of children in schools outside the county of their residence and outside the state of their residence." Referred to Committee on Education.

House Bill No. 100, introduced by Gill, Judge, Rygg: A bill for an act entitled: "An act to amend Section 53-101, R. C. M. 1947, as amended by Chapter 208 of the Session Laws of the Thirty-fifth Legislative Assembly, 1957, relating to duties and records of the registrar of motor vehicles by providing a more extensive record in the case of dealers; to amend section 53-102, R. C. M. 1947, as amended by Chapter 122 of the Session Laws of the Thirty-seventh Legislative Assembly, 1961, relating to penalty for violation and enforcement of provisions by deleting Section 53-118 from the penalty provision thereof; to amend Section 53-118, R. C. M. 1947, as amended by Chapter 245 of the Session Laws of the Thirty-fourth Legislative Assembly, 1955, relating to applications for dealers licenses by providing for qualification of dealers for licensing and providing a penalty for violation of the section; to amend Section 53-133, R. C. M. 1947, relating to definitions with regard to motor vehicle registration by changing the definition of

dealer to conform with Section 53-118; repealing Section 53-138, R. C. M. 1947; providing a savings clause; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 101, introduced by Gill, Judge, Rygg: A bill for an act entitled: "An act to amend Section 53-122 R. C. M. 1947, pertaining to registration fees of motor vehicles by increasing the fee for dealers in motor vehicles other than motorcycles from thirty dollars (\$30.00) to sixty dollars (\$60.00). Referred to Committee on Highways.

House Bill No. 102, introduced by Schepens, Cummings, McDonald, Bollinger, Meccage, Stranahan, Harper, O'Hair, Sartz, Prevost, Eklund, Aasheim, Gerke, O'Leary, Flynn, Hanks, Gunderson, Twedt, Nefzger, Deschamps: A bill for an act entitled: "An act to provide a comprehensive facility for diagnosis, evaluation, treatment, rehabilitation, professional in-service training, community consultative and preventive services and research in the fields of mental health, mental retardation, guidance and juvenile rehabilitation in Montana; creating an advisory council; and appropriating \$1,800,000 to the Department of Public Institutions for purchase of site and the construction and equipping of such facility." Referred to Committee on State Administration.

House Bill No. 103, introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volumes 2 and 5, and the 1965 cumulative pocket supplements of the Revised Codes of Montana of 1947." Referred to Committee on Appropriations.

House Bill No. 104, introduced by Leuthold, Stranahan, Meccage, Schepens: A bill for an act entitled: "An act extending the time to file a declaration of vested ground water rights, and amending Section 3, Chapter 237, Laws of 1961, compiled as Section 89-2913, R. C. M. 1947." Referred to Committee on Townships and Counties.

House Bill No. 105, introduced by Wayrynen, Tracy, Lombardi, Healy, Shugrue: A bill for an act entitled: "An act amending Section 43-107, R. C. M. 1947, to redefine congressional districts." Referred to Committee on Reapportionment.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 6 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Wilits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Boughton. Total 1.

Absent or not voting: Atkins, Felt, Nichols, Stranahan. Total 4.

Excused: Brenner, Lucas. Total 2.

House Bill No. 33, was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano,

Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Haines, Jenkins. Total 2.

Absent or not voting: Atkins, Bardanouve, Gill. Total 3.

Excused: Brenner, Lucas. Total 2.

House Bill No. 44 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Bardanouve, Cregg, Deschamps, East, Haines, Jenkins, Jensen, MacCalman, Scherf, Twedt. Total 10.

Absent or not voting: Atkins, Nutting. Total 2.

Excused: Brenner, Lucas. Total 2.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Saturday, January 16, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk.

THIRTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 16, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Atkins, Bardanouve, Bollinger, Brenner, Cregg, Eskildsen, Gerke, Harper, Jenkins, Johnson, Laas, Leuthold, Lewis, McOmber, Nichols, Obstarczyk, Raundal, Spilde, Twedt, Willits, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twelfth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

COMMUNICATIONS AND PETITIONS

The following was read at length and accepted by the House of Representatives:

January 15, 1965

Speaker of the House
Honorable Ray Wayrynen

Dear Sir:

I would like to submit in full a report with regards to the activity regarding House Bill No. 8 on the floor of the House Friday afternoon, January 15th.

The error was an error of the Chief Clerk's personally in not taking an actual roll call vote that was requested from the gentleman from Yellowstone County, Mr. Felt, so that it could be entered on the journal.

I at no time heard Mr. Felt request that the yeas and nays be spread on the journal, therefore I only took a total vote on the electrical voting machine without making a final record.

I hope this suffices in answer to the error made and the journal now shows that a roll call was made with 47 yeas and 42 nays.

Please contact me if there is anything you would have done in addition to this matter.

Very truly yours,

WALTER H. MARSHALL,
Chief Clerk.

WHM/jf

REPORTS OF STANDING COMMITTEES

January 15, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 68, 46, 28, 77, 69, and House Joint Resolution No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

FIRST READING AND COMMITMENT OF BILLS

The following were introduced, read first time, appropriation measure at length, and referred to committees:

House Bill No. 106, introduced by Appropriations Committee: A bill for an act entitled: "An act appropriating money to the state parks division for the biennium ending June 30, 1965." Referred to Committee on Appropriations.

House Bill No. 107, introduced by Hall, Sheehy: A bill for an act entitled: "An act imposing limitations and conditions upon the continued existence of clouds on title of real property; providing for the marketability of titles to real property; amending Sections 33-106, 93-2607 and 93-2703, Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 108, introduced by Johnson, Casey, MacCalman: A bill for an act entitled: "An act to amend Section 1, Chapter 248, Laws of Montana, 1963, compiled as Section 40-3905.1, Revised Codes of Montana, 1947, relating to group life and health insurance for state officers and employees, to provide that the state shall contribute five dollars (\$5) of the monthly premiums per insured officer or employee." Referred to Committee on State Administration.

House Bill No. 109, introduced by Woodard, Pierce, Stranahan: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article IX of the Constitution of Montana relating to the qualifications of electors when the question submitted concerns the creation of any levy, debt or liability." Referred to Committee on Judiciary.

House Bill No. 110, introduced by Bardanouve, Egan, Eskildsen: A bill for an act entitled: "An act amending Section 43-107, R. C. M. 1947, to re-define congressional districts." Referred to Committee on Reapportionment.

House Bill No. 111, introduced by Healy, Crum, Smiley, Lombardi, Tracy, Shugrue, McNamara: A bill for an act entitled: "An act to amend Section 16-1001, R. C. M. 1947, relating to powers of supervision of boards of county commissioners; providing that the board of county commissioners may, in its discretion, pay proper charges for insurance providing indemnity to any county officer against liability for loss, without fault, of money, securities, or other property; repealing acts or parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 112, introduced by Broeder, Rygg: A bill for an act entitled: "An act providing that the Montana Soldiers Home is and shall remain at Columbia Falls." Referred to Committee on Judiciary.

House Bill No. 113, introduced by Deschamps, Flynn: A bill for an act entitled: "An act changing Western Montana College of Education, Northern Montana College and the Montana School of Mines into vocational-technical schools; amending Sections 75-107, 75-301, 75-605, and 75-903, R. C. M. 1947; and repealing Sections 75-401, 75-402, 75-402.1, 75-601, 75-602, 75-603, 75-604, 75-610, 75-901, 75-902, 75-904, 75-905, 75-906, 75-907, 75-1001, 75-1002, 75-1003, 75-1006, and 75-1007, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 114, introduced by Felt, Pierce, Lucas, Dye, Haines, Rygg, Broeder, Rehberg, Woodard, James, Asbjornson, Delano, McNamer: A bill for an act entitled: "An act providing for the issuance and sale of limited obligation bonds in a sum not exceeding thirty million dollars, for the purpose of retiring all of the outstanding war veterans' compensation bonds, Korean War veterans' compensation bonds, and World War I veterans' compensation bonds issued and sold under the authority of initiative measure No. 54, as amended by Chapter 44, Laws of 1957, and as further amended by Chapter 270, Laws of 1963, and for the purpose of financing the construction and equipping of, and acquisition of grounds for, such buildings as may now or hereafter be authorized under the long range building program provided for in Sections 15 to 20, inclusive, of Chapter 271, Laws of 1963; providing that the state treasurer, with the approval of the state board of examiners, shall set aside from the proceeds of the bonds issued hereunder, the funds necessary for payment or redemption of all of the outstanding war veterans' compensation bonds, Korean War veterans' compensation bonds, and World War I veterans' compensation bonds; providing for the retirement of the bonds issued and sold hereunder out of the proceeds of the cigarette tax; amending Sections 84-5606 and 84-5621, R. C. M. 1947; and providing an effective date." Referred to Committee on Judiciary.

Chief Clerk requested that the House revert to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 be amended as follows:

That the original bill be amended by striking out in lines 6 and 7 the words "first class school district and county high schools." and inserting in lieu thereof the words "any common school district, high school district, or county high school."

And by amending Section 1 by deleting subsection (8) in its entirety, being lines 28, 29, 30, 31, 32 of page 4 of the original bill and lines 1, 2, and 3, of page 5 of the original bill, and inserting in lieu thereof the following: "Whenever in the judgment of the trustees of any common school district, high school district, or county high school it would be advantageous to invest any money of such school or school district in savings or time deposits in a state or national bank insured by the F. D. I. C., or in direct obligations of the United States government, payable within one hundred eighty (180) days from the time of investment, such governing body may in its discretion direct the county treasurer to make such investments. All interest collected on such deposits or investments shall be credited to the fund from which the money was withdrawn, provided that nothing in this act shall be interpreted to conflict with Section 16-2050, R. C. M. 1947."

And as so amended, do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do not pass.

AASHEIM, Chairman.

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Bashor of Toole in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Joint Resolution No. 1 be passed for the day.

That House Joint Resolution No. 3 be passed for the day.

That House Bill No. 68 do pass.

That House Bill No. 46 do pass.

That House Bill No. 28 be passed for the day.

That House Joint Resolution No. 2 be passed for the day.

That House Bill No. 77 be passed for the day.

That House Bill No. 69 do pass.

BASHOR, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 11 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Ek-lund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Judge, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer,

Meccage, Nefzger, Nelson, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 70.

Noes: None.

Absent or not voting: Smiley, Selstad. Total 2.

Excused: Aasheim, Atkins, Bardanouve, Bollinger, Brenner, Cregg, Eskildsen, Gerke, Haines, Harper, Jenkins, Johnson, Laas, Leuthold, Lewis, McOmber, Nichols, Obstarczyk, Raundal, Spilde, Twedt, Willits. Total 22.

House Joint Resolution No. 5 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Ek-lund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Judge, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 71.

Noes: None.

Absent or not voting: Smiley. Total 1.

Excused: Aasheim, Atkins, Bardanouve, Bollinger, Brenner, Cregg, Eskildsen, Gerke, Haines, Harper, Jenkins, Johnson, Laas, Leuthold, Lewis, McOmber, Nichols, Obstarczyk, Raundal, Spilde, Twedt, Willits. Total 22.

House Bill No. 35 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Ek-lund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Judge, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 71.

Noes: None.

Absent or not voting: Smiley. Total 1.

Excused: Aasheim, Atkins, Bardanouve, Bollinger, Brenner, Cregg, Eskildsen, Gerke, Haines, Harper, Jenkins, Johnson, Laas, Leuthold, Lewis, McOmber, Nichols, Obstarczyk, Raundal, Spilde, Twedt, Willits. Total 22.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Monday, January 18, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FIFTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 18, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present, except Brenner, excused; and Lewis.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirteenth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your committee on Judiciary, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 be amended as follows:

Line 19, page 1 of the original bill, strike out the words "gross negligence or"

And as so amended, do pass.

Report adopted.

SHEEHY, Chairman.

January 18, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 46, 68, and 69.

JAMES, Vice-Chairman.

MESSAGES FROM THE SENATE

January 16, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 2, introduced by Mathers, Groff, Cotton and Hibbard was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Tracy that House Bill No. 77 be taken from Second Reading and rereferred to the Committee on Fish and Game. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following were introduced, read first time, and referred to committees:

House Bill No. 115, introduced by Mather, Jensen, Loman, Swanz, Nefzger, Meccage: A bill for an act entitled: "An act apportioning the Legislative Assembly and providing for weighted voting on the basis of the population of the county from which a member is elected; repealing Sections 43-101 through 43-106, 43-203 and 43-204 R. C. M. 1947." Referred to Committee on Reapportionment.

House Bill No. 116, introduced by Watt, Deschamps, Cerovski: A bill for an act entitled: "An act to permit seventh and eighth grade pupils of elementary schools to be considered as pupils of secondary schools for budget and foundation program purposes under certain conditions; providing that this act shall be numbered 75-3611.1, R. C. M. 1947; providing an effective date." Referred to Committee on Education.

House Bill No. 117, introduced by Schepens, Hall: A bill for an act entitled: "An act to amend Chapter 24 of Title 69, Revised Codes of Montana, 1947, by amending Section 69-2401 by adding thereto Sub-section (e) to define the term 'welfare,' where used in the said chapter; by amending Section 69-2405 pertaining to rules and regulations and to eliminate certain hearing procedures therein set forth; and by adding to the said chapter following Section 69-2406 therein, new sections numbered 69-2407 and 69-2408 setting forth new hearing procedures and providing for judicial review." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 118, introduced by Schepens, Hall: A bill for an act entitled: "An act to amend Section 69-1802, Revised Codes of Montana, 1947, to include boarding and nursing homes for aged persons in those buildings covered by the provisions of Chapter 18 of Title 69, Revised Codes of Montana, 1947, relating to fire safety requirements and inspection." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 119, introduced by Judge, Loman, Pierce, Gill: A bill for an act entitled: "An act to create a periodic motor vehicle inspection division under the control and supervision of the Montana Highway Patrol Board; providing Highway Patrol personnel to operate program; requiring legislative appropriation to finance program; making it unlawful to drive or move defective or unsafe vehicles; authorizing officers to inspect or require vehicle to be inspected by issuing notices; requiring obedience to inspection laws; authorizing board to promulgate rules and regulations relating to mechanism and equipment to be inspected; designating official inspection stations; and publicizing location of same; establishing qualification and

duties of inspection stations; fixing fees for inspections and inspection certificates; providing all monies collected shall be deposited in state general fund; prohibiting misrepresentation as official station or issuance of false certificates; providing for exemptions from act; establishing penalty for violation of act; providing for severability and repealing Sections 32-21-154, 32-21-155, 32-21-156, R. C. M. 1947 and all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Joint Resolution No. 2, introduced by Mathers, Groff, Cotton, Hibbard: A Joint Resolution of the Senate and the House of Representatives requesting the Legislative Council to revise the State School Laws. Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Joint Resolution No. 1 do pass.

That House Joint Resolution No. 3 do pass.

That House Bill No. 28 do pass.

That House Joint Resolution No. 2 be passed for this sitting.

ESKILDSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 18, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 28, House Joint Resolution No. 1 and House Joint Resolution No. 3.

JAMES, Vice-Chairman.

January 18, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 8 and 13, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

January 18, 1965

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do pass.

ESKILDSEN, Chairman.

Report adopted.

January 18, 1965

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do not pass.

ESKILDSEN, Chairman.

Report adopted.

January 18, 1965

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 be amended as follows:

1. Delete in its entirety the amendment of the committee on Business and Industry.

2. Amend the title on page 1 of the original bill by inserting after the word "moneys" on line 3, the words "received from the federal government and moneys";

3. Amend Section 1, page 1 of the original bill, by deleting all of the material in lines 9, 10 and 11 and inserting in lieu thereof the following material: "Commission all moneys received from the federal government and all moneys in and to be received in the earmarked revenue fund, state parks account (No. 220500) for the two year period beginning with the effective date of this act, to be used for the purpose of creating, improving"

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committees:

House Resolution No. 5, introduced by Wayrynen, Cerovski: A Resolution by the House of Representatives of the State of Montana prohibiting the use of recording devices. Referred to Committee on Judiciary.

House Joint Resolution No. 13, introduced by Boughton, Smith, Garrison, Stranahan: A Joint Resolution of the Senate and House of Representatives of the State of Montana expressing the opinion that thefts of livestock might decline if there were consideration of more stringent application of penalties by district judges and the state board of pardons. Referred to Committee on Livestock and Ranges.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriation measure at length, and referred to committees:

House Bill No. 120, introduced by Bashor, Judge, Sheehy, Felt, Broeder: A bill for an act entitled: "An act to amend Section 84-6204, Revised Codes of Montana, 1947, relating to the computation of net proceeds by subtracting certain items from the value of gross products; and relating to the deduction of drilling costs and capital expenditures; providing for prorating expenditures of drilling dry holes among producing wells in the State of Montana; providing for the repeal of certain provisions relating to deductions for the year 1953; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 121, introduced by Bardanoue, Leuthold: A bill for an act entitled: "An act to amend Sections 81-304, 81-402, 81-413, 81-421, 81-502, 81-802, 81-903, 81-915, and 81-919, R. C. M. 1947, providing for the exchange of state lands and the validation of prior action of the state board

of land commissioners; providing the commissioner of state lands may authorize a lease on a basis other than crop share in certain cases; providing for the determination by the commissioner of state lands of the highest and best use of certain lands, improvements by lessee on state lands, the terms and renewal of coal mining leases of state lands, granting of easements in state lands, terms in sale of state lands, state lands not subject to sale, and settlement for improvements by lessee on state lands sold; repealing Sections 81-417, 81-432, 81-433.1, and 81-435, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 122, introduced by Schye, Swanz, Gerke, Healy: A bill for an act entitled: "An act providing for the protection of the public health by establishing controls of refuse disposal areas, defining terms used in the act, prohibiting dumping in unlicensed areas, requiring a license to be obtained from the local, county or district health officer, requiring the state board of health to approve disposal areas, authorizing revoking the license, authorizing the state board of health to promulgate rules and regulations, excluding refuse disposal by an individual of his own household refuse on his own property from this act, eliminating the payment of an annual fee by governmental agencies, setting forth payments, repealing all acts and parts of acts in conflict with this act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 123, introduced by Cummings, Watt, Cerovski: A bill for an act entitled: "An act amending Section 75-4607, R. C. M. 1947 to reduce the period between original division and alteration of high school building districts." Referred to Committee on Education.

House Bill No. 124, introduced by Cummings, Watt, Cerovski: A bill for an act entitled: "An act providing for formation and control of joint school districts; repealing Section 75-1814, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 125, introduced by Sheehy, O'Leary, Gerke, Cerovski: A bill for an act entitled: "An act amending Sections 36-202 and 36-204, R. C. M. 1947, for the purpose of protecting the rights of children and to promote and protect the family life in the institution of matrimony by providing a means for reconciliation of spouses and the amicable settlement of domestic and family controversies." Referred to Committee on Judiciary.

House Bill No. 126, introduced by Broeder, Judge, Loman, Bailey: A bill for an act entitled: "An act to amend Section 84-1812(1) R. C. M., 1947, to allow an annual expenditure of one hundred and ninety-five thousand dollars (\$195,000.00) for the dissemination of public information." Referred to Committee on Business and Industry.

House Bill No. 127, introduced by Sullivan, Tracy: A bill for an act entitled: "An act amending Section 26-202.1, R. C. M. 1947, to provide certain restrictions on certain game licenses; and including a requirement for guides for nonresident elk hunters." Referred to Committee on Fish and Game.

House Bill No. 128, introduced by O'Hair, Meccage, Garrison, Nutting: A bill for an act entitled: "An act to amend Section 16-2818, R. C. M., 1947, to provide for payment of costs of medication, medical services and hospitalization incurred by prisoners." Referred to Committee on Townships and Counties.

House Bill No. 129, introduced by Leuthold, Lund, Williams, Bardanoue, Gill: A bill for an act entitled: "An act appropriating twenty-five thousand dollars to the Commissioner of State Lands and Investments for a comprehensive study of state land policy." Referred to Committee on Appropriations.

House Bill No. 130, introduced by Bollinger, Schepens, Cummings, Haines, Atkins: A bill for an act entitled: "An act to regulate manufacturers and purveyors of food and drink, and establishments preparing or storing food for human consumptions; defining terms; providing for licensure

and license fee; and providing procedure for cancellation or denial of license; providing for control of persons working when afflicted with contagious or infectious disease; empowering State Board of Health of Montana to make and enforce all necessary regulations including sanitary standards for such establishments and, to establish cooperative agreements with other Montana agencies; providing for inspections, sampling, and report of inspection; making reports of inspections evidence; prescribing penalties; providing for fee required by this act to supercede other fees for same purpose; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and repealing Section 27-111, Revised Codes of Montana, 1947, as amended or supplemented." Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Esildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Joint Resolution No. 2 be passed for the day.

ESKILDSSEN, Chairman.

Report adopted.

Motion was made by Cerovski, and carried, that the House adjourn until 10:00 a. m. Tuesday, January 19, 1965.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

SIXTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 19, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Brenner, Leuthold, McOmber, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifteenth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

January 19, 1965

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Resolution No. 4, respectfully report as follows: That House Resolution No. 4 do pass.

HEALY, Chairman.

Report adopted.

January 18, 1965

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 do pass.

AASHEIM, Chairman.

Report adopted.

January 18, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 22, 59, 23, 103, 106, 70, 58, and 57, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Woodard that House Bill No. 80 be moved from Committee on Business and Industry and rereferred to Committee on Highways. Motion carried.

Motion was made by Judge that House Bills Nos. 52 and 53 be moved from Committee on Business and Industry and rereferred to Committee on Public Health, Welfare and Safety. Motion carried.

The following House Joint Resolution was introduced, read first time, and referred to committee:

House Joint Resolution No. 14, introduced by Williams, James, Nutting, Eskildsen, Harper, O'Hair, Meccage, Eklund: A Joint Resolution of the Senate and House of Representatives of the state of Montana requesting that the secretary of agriculture study prices paid to meat producers, costs of processing, and retail prices to determine if meat processors and retailers are receiving unwarranted profits. Referred to Committee on Livestock and Ranges.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 131, introduced by McNamara, O'Leary, Judge, Gerke: A bill for an act entitled: "An act authorizing any and all departments of the state of Montana to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees and their dependents; limiting the departmental contribution to five dollars (\$5.00) per month for each officer and employee and their dependents." Referred to Committee on State Administration.

House Bill No. 132, introduced by Haines: A bill for an act entitled: "An act amending Section 16-3101, R.C.M. 1947, to make county attorneys counsel for fire districts in unincorporated territories, towns or villages." Referred to Committee on Townships and Counties.

House Bill No. 133, introduced by Cummings, Pierce, Bollinger: A bill for an act entitled: "An act to amend Section 32-2177 of the Revised Codes

of Montana, 1947, relating to pedestrians' right of way in crosswalk; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 134, introduced by Bollinger, Cummings, Pierce: A bill for an act entitled: "An act to establish school safety patrols; empowering the governing board or other directing authority of any school and other educational institutions, both public and private, to authorize the organization and supervision of school safety patrols for the purpose of influencing and encouraging other pupils to refrain from crossing public highways at points other than regular crossings, and for the purpose of directing pupils when and where to cross highways; providing for the qualification and appointment of members of school safety patrols; providing that no liability shall attach to the establishments of school safety patrols; providing for identification and operation of school safety patrols; providing for the training of school safety patrol members; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Education.

House Bill No. 135, introduced by Cregg: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 2, Article XIX of the Constitution of Montana to permit the Legislative Assembly to authorize state-operated lotteries or gift enterprises." Referred to Committee on Judiciary.

House Bill No. 136, introduced by O'Hair, Eklund, Slaby, Twedt: A bill for an act entitled: "An act relating to the administration of state lands, the rule making power of the state board of land commissioners and the appointment of the commission of lands and investments; amending Sections 81-103, 81-201 and 81-203 R. C. M. 1947; and repealing Sections 81-209, 81-423, and 81-913 R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 137, introduced by Hall, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend Section 79-301, Revised Codes of Montana, 1947, as amended, relating to the duties of the State Depository Board and state treasurer and the funds in the hands of the state treasurer to provide authority to deposit public moneys in savings and loan associations in addition to solvent banks located in the state of Montana and providing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 138, introduced by Hall, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend Section 79-302, Revised Codes of Montana, 1947, relating to the interest requirements on deposits of public funds to include savings and loan associations in addition to banks and providing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 139, introduced by Hall, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend Section 16-2618, Revised Codes of Montana, 1947, as amended, relating to the deposit of public funds by county, city and town treasurers to provide authority to deposit public funds in savings and loan associations in addition to solvent banks located in the county, city or town of which such treasurer is an officer and providing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 140, introduced by Hall, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend Section 16-2619 Revised Codes of Montana, 1947, relating to cashier's checks of federal reserve banks as security for deposit of public funds to provide authority to accept cashier's checks issued by savings and loan associations in addition to banks and providing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 141, introduced by Pierce, Gerke, Schye: A bill for an act entitled: "An act to permit the movement of trucks and trailers for demonstration purposes; providing for a permit therefor; providing for the

fee for such permit; providing for the issuance, validation and duration of such permits; providing for a penalty and providing for the disposition of fees." Referred to Committee on Highways.

House Bill No. 142, introduced by McNamer, MacCalman: A bill for an act entitled: "An act to amend Section 93-701-4, R. C. M. 1947, pertaining to the examination of licensed physician or surgeon in civil actions." Referred to Committee on Judiciary.

House Bill No. 143, introduced by Jensen, Nutting, Selstad, Delano, Deschamps, Fischer, Loman, Lucas: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by recipients of social security benefits, a widow, or one over the age of sixty-two (62) years not gainfully employed, to such an extent as would render him ineligible for social security benefits; providing for reimbursement to the counties from state funds, for the revenue loss sustained each year by reason of such new classification; and appropriating the sum of \$1,700,000 for the purpose of paying disbursements to the counties during the biennium." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 144, introduced by Schepens, Meccage, Gerke, Jensen: A bill for an act entitled: "An act to amend Section 16-1015, R. C. M. 1947, relating to the powers and duties of county commissioners to levy an annual tax on the taxable property of the county to defray current expenses, including salaries not otherwise provided for, not exceeding sixteen (16) mills for any one (1) year and to levy such taxes as are required by special or local statutes; and providing for an additional levy of four (4) mills for a prescribed period." Referred to Committee on Townships and Counties.

House Bill No. 145, introduced by Zimmer, Tracy, Scherf, Pierce: A bill for an act entitled: "An act to require common carriers by rail to maintain motor vehicles used for the transportation of workers in a safe condition; requiring the board of railroad commissioners to make and enforce rules and regulations establishing minimum standards for such motor vehicles; providing a penalty for the violation of such regulations; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 146, introduced by Lund, Stranahan, James: A bill for an act entitled: "An act providing for reimbursement to counties for loss of revenue because of tax exempt status of state owned land in excess of six per cent (6%) of the total land area; providing for procedures to effectuate this purpose; prescribing the duties of the commission of state lands and investments, county assessors and the state controller; limiting the maximum payments; and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 147, introduced by Judge, Bardanouve, Schye, Cummings, Smiley: A bill for an act entitled: "An act creating a State Department of Planning and Economic Development to foster growth and diversification of industry, commerce and tourism; and repealing Sections 89-301 through 89-309 R. C. M. 1947." Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Joint Resolution No. 2 be amended as follows:

Amend the title by striking out in line 5 of the original bill, being line 3 of the title of the printed bill, the word "revise" and inserting in lieu thereof the word "review and recommend a revision of".

And further amend House Joint Resolution No. 2 by striking out in line 32, page 1 of the original bill, being line 28, page 2 of the printed bill, the word "revise" and inserting in lieu thereof the words "review and recommend a revision of".

And as amended, do pass.

ESKILDSSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 46 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstein, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: McOmber, Leuthold, Brenner. Total 3.

House Bill No. 68 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstein, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Brenner, Leuthold, McOmber. Total 3.

House Bill No. 69 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum,

Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Brenner, Leuthold, McOmber. Total 3.

House Bill No. 28 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 78.

Noes: Atkins, Casey, Deschamps, East, Gill, Lewis, MacCalman, Obstarczyk, O'Hair, Selstad, Stranahan, Swanz, Zimmer. Total 13.

Absent or not voting: None.

Excused: Brenner, Leuthold, McOmber. Total 3.

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: None.

Excused: Brenner, Leuthold, McOmber. Total 3.

House Joint Resolution No. 3 was passed by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson,

Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer. Total 77.

Noes: Asbjornson, Casey, Crum, Felt, Garrison, Lund, MacCalman, Raundal, Selstad, Smith, Williams, Mr. Speaker. Total 12.

Absent or not voting: Atkins, Schye. Total 2.

Excused: Brenner, Leuthold, McOmber. Total 3.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker asked the House to rise for a moment of silence in respect to the memory of Jack Toole, a former member of the House of Representatives, who died in Washington, D.C. early this morning. The Speaker also asked the Necrology Committee to take note when drafting their resolution and to send proper condolences to the family of Jack Toole.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 do not pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 73 respectfully report as follows: That House Bill No. 73 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Joint Rule 6-7, respectfully report as follows: That the joint rule of the House and Senate 6-7 be amended to read as follows:

"6-7 All bills except revenue bills, appropriations, reapportionment and substitute bills must be received by the Chief Clerk or the secretary by 5 P. M. of the twentieth legislative day. Revenue bills must be received by the Chief Clerk by 5 P. M. on the twenty-fifth day. All bills on reapportionment and matters pertaining thereto may be introduced anytime until 5 P. M. on the fifty-fifth legislative day."

CEROVSKI, Chairman.

Report adopted.

January 19, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Joint Resolution No. 2.

JAMES, Vice-Chairman.

MOTIONS AND RESOLUTIONS

The following House Joint Resolution was read first time, and referred to committee:

House Joint Resolution No. 15, introduced by Bailey, Bollinger, Cerovski, Lucas, Eskildsen, Casey, Wayrynen, Lund: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the United States, the Honorable Lyndon B. Johnson, the Congress

of the United States, the Secretary of Defense, the Honorable Robert S. McNamara, and the Montana Congressional Delegation, questioning and protesting the announced closure of the Glasgow Air Force Base located at Glasgow, Montana. Referred to Committee on Constitution, Elections and Federal Relations.

Gill moved that the Speaker appoint a select committee consisting of 15 members for the purpose of investigating the Fish and Game Commission, the Fish and Game Department, and charges made against the aforesaid commission and department: That said special committee be given powers of subpoena and be given authority to expend what monies might be necessary to conduct said investigation; that said special committee report back to this 39th Session of the House of Representatives by the 50th legislative day. Motion carried.

Thereupon, the Speaker appointed a committee consisting of the following: Gill, Chairman; Bailey, Vice-Chairman; Tracy, Zimmer, Delano, Atkins, Smith, Spilde, Tooke, Boughton, Fischer, O'Leary, Sullivan, Christensen, Jenkins.

Motion was made by Jensen that House Bill No. 143 be moved from Public Health, Welfare and Safety and be rereferred to Committee on Ways and Means. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 148, introduced by McNamara, Delano: A bill for an act entitled: "An act to amend Section 32-303, R.C.M. 1947, which places exclusive control, supervision, and direction of all highways, bridges and causeways in counties having a total registered vote of fifteen thousand (15,000) or over in the county surveyor; by providing for such exclusive control, supervision, and direction by the county surveyor only in counties having a total registered vote of twenty thousand (20,000) or more." Referred to Committee on Townships and Counties.

House Bill No. 149, introduced by Bardanouve, Lucas: A bill for an act entitled: "An act to amend Section 84-429.8, R.C.M. 1947, which authorized a tax levy of two (2) mills for a state-wide reclassification and reappraisal of all taxable lands and improvements, by authorizing a levy of not to exceed one (1) mill upon all property subject to taxation for maintaining and keeping current such reclassification and reappraisal." Referred to Committee on Townships and Counties.

House Bill No. 150, introduced by Jensen, Broeder, Dye, Tooke, Ulmer, Williams, Lund, Leuthold, James, Woodard, Garrison, Lucas: A bill for an act entitled: "An act to amend Section 84-4902, R. C. M., 1947, relating to the rate of income tax, to provide for a minimum tax of \$5.00 on each taxpayer required to file an income tax return; and providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 151, introduced by Judge, Healy: A bill for an act entitled: "An act to amend Sections 59-801 and 59-802 of the Revised Codes of Montana, 1947, relating to mileage to be paid to state officers, employees and other classes of persons; to provide for an increase in the mileage payments to members of the Legislative Assembly, state officers, township officers, jurors, witnesses, county agents, state or county officers and employees, and all other persons, except sheriffs, who may be entitled to mileage; containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 152, introduced by Shugrue, Jensen, Slaby, Lucas, Zimmer: A bill for an act entitled: "An act to amend Section 11-1912, R. C. M. 1947, relating to disability and pension funds of fire department relief as-

sociations and the tax levy for maintaining same; providing for an increase thereof; and providing a maximum levy for such provisions by cities in the third class." Referred to Committee on Affairs of Cities.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 8 do pass.

That House Bill No. 13 be amended by striking out in line 3, Section 3, of the printed bill after the word "sale" and before the word "canned" the word "only".

And, as so amended, do pass.

ESKILDSSEN, Chairman.

Substitute motion was made by Felt that House Bill No. 8 be segregated from the Committee of the Whole report, and a roll call vote be taken with the results thereof spread on the Journal. Lucas requested a Call of the House. Sufficient seconds arose. Progress having been shown, Lucas moved that the Call of the House be dispensed with. Motion carried.

Roll call vote was taken and the substitute motion failed to carry by the following vote:

Ayes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Haines, James, Jenkins, Jensen, Laas, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 40.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lombardi, McDonald, McNamara, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 49.

Absent or not voting. Prevost. Total 1.

Excused: Brenner, Leuthold, McOmber, Rehberg. Total 4.

Substitute Motion was made by Bollinger that House Bill No. 13 be segregated from the Committee of the Whole report. Motion was lost.

After debate, Eskildsen moved that the Committee of the Whole report be adopted. Motion carried.

Report adopted.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Healy that the House grant the chairman of the Ways and Means Committee the power of subpoena. Motion carried.

This is an official notice that I have appointed Representative Holtz, this date, as a member on the House Labor and Compensation Committee.

RAY WAYRYNEN,
Speaker of the House.

Motion was made by Cerovski that the House adjourn until 11:00 a.m. Wednesday, January 20, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

SEVENTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 20, 1965

House convened, pursuant to adjournment, at 11:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Brenner and Rehberg, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Sixteenth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

January 20, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 64, beg leave to report that the same has been returned from the printer correctly printed.

HARPER, Chairman.

Report adopted.

January 19, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 45, beg leave to report that the same has this date been returned from the printer correctly printed.

HARPER, Chairman.

Report adopted.

January 19, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 8 and 13.

HARPER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 be amended as follows:

On line 7 of the original bill, after the word "private" and before the word "property", insert the words "or public".

And as amended, do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 be amended as follows:

In Section 1, subsection b, line 30 of the original bill insert the words "and the committed residents of the Montana Training Center at Boulder" after the word "Bridges" and before the word "will".

And as amended, do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 100, respectfully report as follows:

That House Bill No. 100 be amended by striking out in line 13 page 7 of the original bill and line 31 page 4 of the mimeographed copies the words, "or parts thereof", by striking out in line 14 page 7 of the original bill and line 31 page 4 of the mimeographed copies the words, "or parts", by striking out in line 16 page 7 of the original bill and lines 33 and 34 of the mimeographed copies page 4 the word "or parts".

And as amended, do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 do pass.

LAAS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 19, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 4, introduced by Groff, et al.

Senate Joint Resolution No. 5, introduced by Brownfield, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House pass consideration of bills listed on Second Reading until this afternoon. Motion carried.

The following Senate Joint Resolutions were introduced, read first time, and referred to committees:

Senate Joint Resolution No. 4, introduced by Groff, Holt, Thiessen, James, Gerard, McDonell, Mathers, Cumming, Cole, Beley, Cotton, Hauk, Manning, MacDonald, Keller, Kafke, Siderius, Graham, Breen, Hilling, Mackay, Hibbard, Mahoney, Nees, Beck, Edwards, Lehrkind, Ullom, Turnage, Melcher, Nixon, Anderson, Rostad, Brownfield, Balgord, Bovey, Goodwin, Dussault, Jensen, Moritz, Brenner, Rieder, Thomas, O'Neill, Moberly, McKenna, Bentz, Michels, McGowan, Killenbeck: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting and urging that the Congress of the United States propose an amendment to the Constitution of the United States as provided in Article V of the Constitution of the United States providing that a state having a bicameral legislature may apportion membership in one house of the legislature on other than a population basis. Referred to Committee on Reapportionment.

Senate Joint Resolution No. 5, introduced by Brownfield, Manning, James, Thomas, Gerard, McDonnell, Mackay, Siderius, Rieder, Moberly, Holt, Breen, O'Neill, Cotton, Graham, Hauk, Brenner, Hilling, Moritz, Bentz, McKenna, Mathers, Balgord, Cole, MacDonald, Keller, Kafka, Nees, Beck, Edwards, Ullom, Lehrkind, Thiessen, Turnage, Melcher, Beley, Groff, Nixon, Anderson, Rostad, Bovey, Goodwin, Dussault, Cumming, Jensen, Hibbard, Mahoney, Michels, McGowan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana making application to the Congress of the United States to call a convention for the purpose of amending the Constitution of the United States so as to provide that a state having a bicameral legislature may apportion membership in one house of its legislature on other than a population basis. Referred to Committee on Reapportionment.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriation measures at length, and referred to committees:

House Bill No. 153, introduced by Nutting, Smith, East: A bill for an act entitled: "An act providing for the election of additional trustees to the boards of trustees of high school districts; providing for the establishment of trustee nominating districts, and amending Section 75-4601." Referred to Committee on Education.

House Bill No. 154, introduced by Nutting, Smith, East: A bill for an act entitled: "An act providing for the creation of new districts out of other districts, and amending Section 75-1805, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 155, introduced by Schepens, Twedt, Hanks, Cerovski, Cummings, Eskildsen: A bill for an act entitled: "An act to amend Section 23-807, R. C. M. 1947, which fixes the date for filing certificates of nomination by candidates for public office who are nominated by methods other than the direct primary; by providing that such certificates must be filed on or before the date fixed by law for the direct primary election under Chapter 9, Title 23, Revised Codes of Montana, 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 156, introduced by Schepens, Hall: A bill for an act entitled: "An act to amend Section 25-604, R.C.M. 1947, which gives boards of county commissioners power to fix compensation of deputies and assistants in all county offices and prescribes a maximum for such compensa-

tion; by increasing the allowable maximum compensation to deputies or assistants from ninety percent (90%) to ninety-five percent (95%) of the salary of the officer under whom the deputy or assistant is serving." Referred to Committee on Townships and Counties.

House Bill No. 157, introduced by Flynn, Hanks: A bill for an act entitled: "An act declaring the raising of fur-bearing animals in captivity to be an agricultural pursuit without altering the powers or duties of the State Fish and Game Commission under existing statutes." Referred to Committee on Fish and Game.

House Bill No. 158, introduced by Holtz, Hall, Twedt, Slaby: A bill for an act entitled: "An act prohibiting assistants, deputies, agents, attorneys, administrators, engineers, experts, clerks, accountants, stenographers and executive attaches of all civil executive offices, boards, commissions, bureaus and department of the state of Montana from accepting compensation for service rendered in such capacity in excess of that fixed pursuant to statute or set forth in the budget. Prohibiting civil executive offices, boards, commissions, bureaus or departments of state from employing any person unless salary is provided by statute or set forth in the budget; and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 159, introduced by Hall, Gilfeather, Bardanouve: A bill for an act entitled: "An act amending Section 44-127, R.C.M. 1947, defining the powers and duties of the State Library Commission; and repealing Sections 44-129 and 44-130, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 160, introduced by Johnson, Watt, Deschamps, Cregg, Shugrue, Felt, Jensen, Harper: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 2, Article IX of the Montana Constitution changing the voting age to eighteen years." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 161, introduced by Bardanouve, Eskildsen: A bill for an act entitled: "An act requiring the reporting of certain activities by elected state officials." Referred to Committee on Judiciary.

House Bill No. 162, introduced by Twedt, Haines, Eklund, Nichols, James, Meccage, Christiansen, Bailey: A bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction for the conservation education program, operation and capital, for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

House Bill No. 163, introduced by Twedt, Haines, Eklund, Nichols, Tooke, Meccage, Bailey: A bill for an act entitled: "An act to appropriate money to the State Soil Conservation Committee for watershed project planning for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

House Bill No. 164, introduced by Aasheim, Schepens, Meccage, Eklund, Harper, Christiansen, Prevost, Twedt, Stranahan, Nefzger, Gilligan: A bill for an act entitled: "An act concerning per diem and reimbursement for expenses of members of the Legislative Assembly; amending Section 43-310, R. C. M. 1947." Referred to Committee on Appropriations.

House Bill No. 165, introduced by Slaby, Hanks, Schepens, Sheehy, Gilfeather: A bill for an act entitled: "An act to establish the salaries of sheriffs, undersheriffs and deputy sheriffs; establishing classifications of salaries based upon county populations; establishing longevity pay; and repealing those portions of Sections 25-603, 25-604 and 25-605 as they pertain to sheriffs, undersheriffs and deputy sheriffs; and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 166, introduced by Gill, Sheehy, Lucas, Haines, Zimmer: A bill for an act entitled: "An act to provide for the registration and regulation of foresters; to create the State Board of Registration for Foresters

and to prescribe its powers and duties; to provide for the organization of said board; to provide for the terms of office of the members of said board; to provide for the revocation of licenses; to provide for fees and to provide for reciprocity." Referred to Committee on State Administration.

House Bill No. 167, introduced by Aasheim, Bailey: A bill for an act entitled: "An act relating to the revision of certain school laws, directing the attorney general to submit a proposed revision of such laws, directing Fortieth Legislative Assembly, and appropriating moneys for such purpose." Referred to Committee on Education.

House Bill No. 168, introduced by Harper, Nefzger, Meccage, Cummings: A bill for an act entitled: "An act amending Section 43-803, R.C.M. 1947, raising the lobbyist license fee from ten dollars to one hundred dollars." Referred to Committee on Labor and Compensation.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 2 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Bardanoue. Total 1.

Excused: Brenner, Rehberg. Total 2.

House Bill No. 8 failed to pass by the following vote:

Ayes: Aasheim, Bollinger, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 44.

Noes: Asbjornson, Atkins, Bailey, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Egan, Falkenstern, Felt, Fischer, Garrison, Gill, Haines, James, Jenkins, Jensen, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Obstarczyk, Pierce, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard, Zimmer. Total 47.

Absent or not voting: Bardanoue. Total 1.

Excused: Brenner, Rehberg. Total 2.

House Bill No. 13 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn,

Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, James, Jenkins, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Cregg, Gunderson, Holtz, Jensen, Laas, Twedt, Watt. Total 7.

Absent or not voting: Bardanouve, Crum. Total 2.

Excused: Brenner, Rehberg. Total 2.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 10, respectfully report as follows: That House Joint Resolution No. 10 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 do pass.

ESKILDSEN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 20, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 8, introduced by Rieder, et al.

Senate Bill No. 17, introduced by Goodwin, et al.

Senate Bill No. 26, introduced by McGowan, Cotton, Ullom.

Senate Bill No. 38, introduced by Cumming, et al.

Senate Bill No. 41, introduced by Cotton, Brownfield, Kafka.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Watt that House Joint Resolution No. 7 be removed from the Committee on Constitution, Elections and Federal Relations and be rereferred to Committee on Reapportionment. Motion carried.

Motion was made by Watt that House Joint Resolution No. 8 be removed from the Committee on Constitution, Elections and Federal Relations and be rereferred to Committee on Reapportionment. Motion carried.

Lewis, having voted on the prevailing side, moved that the House reconsider its action in failing to pass House Bill No. 8 in the previous sitting, and that House Bill No. 8 be placed back on Third Reading.

Substitute motion was made by Lucas that the motion by Lewis to reconsider its action in regard to House Bill No. 8 be laid on the table.

Schepens requested a Call of the House and a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Schepens moved that the Call of the House be dispensed with. Motion carried.

Roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Gill, Haines, James, Jenkins, Jensen, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard, Zimmer. Total 43.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Giligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, McDonald, McNamara, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 49.

Absent or not voting: None.

Excused: Brenner, McOmber. Total 2.

Original motion by Lewis carried.

The following House Joint Resolution was introduced, read first time, and referred to committee:

House Joint Resolution No. 16, introduced by Broeder: A Joint Resolution of the Senate and the House of Representatives authorizing and requesting the governor to proclaim 1965 a year to see Montana, the United States and its possessions, to encourage and promote vacation travel therein, and authorizing the governor to appoint a state chairman to coordinate the efforts of state agencies and other organizations in this endeavor. Referred to Committee on Business and Industry.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

House Bill No. 169, introduced by Broeder, Rygg: A bill for an act entitled: "An act changing the procedure for unifying a county high school with the school district in which the county high school is located; amending Sections 75-4121, 75-4122, 75-4123, 75-4124, 75-4125, and 75-4126, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 170, introduced by Delano, Selstad, McDonald: A bill for an act entitled: "An act to amend Section 75-506 (866), R. C. M. 1947, pertaining to charges for tuition, the waiver of non-resident fees, and providing for penalties for violations of the commercial fertilizer act; and re-

pealing Sections 3-1701, 3-1702, 3-1703, 3-1704, 3-1705, 3-1706, 3-1707, 3-1708, 3-1709, 3-1710, and 3-1711, R.C.M. 1947." Referred to Committee on Agriculture.

House Bill No. 171, introduced by Hanks, Nichols: A bill for an act entitled: "An act to revise the commercial fertilizer law by amending Sections 3-1715 and 3-1727, R. C. M. 1947; providing a registration fee for soil amendments; providing that all fees be deposited in the general fund; providing for penalties for violations of the commercial fertilizer act; and repealing Sections 3-1701, 3-1702, 3-1703, 3-1704, 3-1705, 3-1706, 3-1707, 3-1708, 3-1709, 3-1710, and 3-1711, R.C.M. 1947." Referred to Committee on Agriculture.

House Bill No. 172, introduced by request—Delano: A bill for an act entitled: "An act to amend Section 23-1101, R. C. M. 1947, relating to the printing and distribution of election ballots for public officers (except school district officers); providing that ballots must be printed thirty (30) days prior to any election; providing that the expense of printing and delivering ballots is a county charge except in the case of municipal elections." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 173, introduced by Healy, Crum, Lombardi, Obstarczyk: A bill for an act entitled: "An act to prevent unfair competition and unfair trade practices in the sale of cigarettes; to prohibit sales of cigarettes below cost; to protect and stabilize the collection of taxes on the sale of cigarettes and revenues from the licensing of persons engaged in the sale of cigarettes; to confer powers and impose duties on the state board of equalization and on persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing remedies and imposing penalties for violations thereof." Referred to Committee on Ways and Means.

House Bill No. 174, introduced by Healy, Crum, Obstarczyk, Lombardi: A bill for an act entitled: "An act to amend those sections relating to the tax on cigarettes; providing for an annual license and an increase in certain license fees; providing for revocation of license for violation of the Montana Cigarette Sales Act." Referred to Committee on Ways and Means.

House Bill No. 175, introduced by Loman, Judge, Stranahan, Smiley: A bill for an act entitled: "An act amending Chapter 259 of the Session Laws of 1963 to provide for continuing the Montana Centennial Commission as a temporary agency." Referred to Committee on State Administration.

House Bill No. 176, introduced by Aasheim: A bill for an act entitled: "An act to amend Section 75-2707, R. C. M. 1947, as amended by Chapter 216, Session Laws of Montana, 1963, providing for the payment to the named beneficiary of a deceased member of the Teachers Retirement System the sum of fifty dollars (\$50.00) per month for each child of said deceased member under eighteen years (18) of age if the named beneficiary is the surviving spouse of the deceased member and the deceased member was actively engaged as a teacher within one (1) year prior to his death; and providing for an effective date." Referred to Committee on Education.

House Bill No. 177, introduced by request—Delano: A bill for an act entitled: "An act amending the Professional Service Corporation Act of Montana to include nurses as one of the professional services included within the provisions of the act." Referred to Committee on Business and Industry.

House Bill No. 178, introduced by Eklund, Christiansen, Schepens, Cummings, Prevost, Meccage, Rehberg, O'Hair: A bill for an act entitled: "An act to enable boards of county commissioners to levy an assessment on taxable real property within the counties for the expenses of soil conservation districts; amending Sections 76-202, 76-204, 76-208, 76-209, and 76-210, R. C. M. 1947; and repealing Section 76-203, R. C. M. 1947." Referred to Committee on Townships and Counties.

Senate Bill No. 8, introduced by Rieder, Siderius, Hafferman, Jensen, McGowan, Melcher, Graham, McKenna, Davis: A bill for an act entitled:

"An act to establish the policy of the state of Montana on protection of fishing streams; providing for submission of plans for construction and hydraulic projects affecting such streams to the Montana Fish and Game Commission and for review of such plans; and providing for arbitration of disagreements between the Fish and Game Commission and the agency proposing such projects." Referred to Committee on Fish and Game.

Senate Bill No. 17, introduced by Goodwin, Nees, Gerard, McDonnell, Edwards, Bovey, McGowan: A bill for an act entitled: "An act relating to regulation of certain junkyards." Referred to Committee on Business and Industry.

Senate Bill No. 26, introduced by McGowan, Cotton, Ullom: A bill for an act entitled: "An act relating to issuing teaching certificates to persons who are not citizens; amending Section 75-2501, R. C. M. 1947." Referred to Committee on Education.

Senate Bill No. 38, introduced by Cumming, Jensen, Hilling, Nixon, Nees, Dussault, Reardon, Ullom, Brenner, Beck: A bill for an act entitled: "An act designating mountain standard time as the legal time in the state of Montana and prohibiting the use or adoption by the state, counties, cities, towns, school districts or other political subdivisions of any other time than mountain standard time, repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 41, introduced by Cotton, Brownfield, Kafka: A bill for an act entitled: "An act to amend Section 75-3403, R. C. M. 1947, authorizing school board trustees to purchase or rent buses and provide for their upkeep and for two-way radios for said buses; providing for contracts for transportation not in excess of five (5) years; providing for school bus depreciation reserve not in excess of twenty per cent (20%) per year to replace original cost of school buses; providing for a repealing clause; providing for an effective date." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Jensen of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 22 do pass.

That House Bill No. 59 do pass.

That House Bill No. 23 do pass.

That House Bill No. 103 do pass.

That House Bill No. 106 do pass.

That House Bill No. 70 do pass.

That House Bill No. 58 do pass.

That House Bill No. 57 do pass.

JENSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 8 was passed by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bollinger, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, McDonald, McNamara, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 48.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Gill, Haines, James, Jenkins, Jensen, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard, Zimmer. Total 43.

Absent or not voting: Atkins. Total 1.

Excused: Brenner, McOmber. Total 2.

Motion was made by Gill that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Gill that House Bill No. 101 be removed from the Bills Committee and referred to the Highways Committee, where it originated. Motion carried.

Motion was made by Cerovski, and carried, that the House adjourn until 10:00 a. m. Thursday, January 21, 1965.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

EIGHTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 21, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Brenner, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Seventeenth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

January 20, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 73, 7 and 87, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

January 21, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 22, 57, 58, 59, 70, 23, 106, 103.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do pass, and be referred to the Appropriations Committee.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 do pass.

JUDGE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Lucas that the House send a letter of appreciation to Carroll College for the excellent breakfast and briefing this morning. Motion carried.

Motion was made by Cerovski that the Speaker appoint a special committee consisting of three members for the purpose of studying the expenditures of the Montana Centennial Commission, and to determine the propriety of its many activities for the benefit of Montana's taxpayers, and for the benefit of the many good citizens who expended time and money individually to celebrate our centennial. And further, that the committee be given subpoena powers and that the committee may expend whatever moneys might be necessary to conduct this investigation. This committee shall report back to the House of its findings on the 50th Legislative Day. Motion carried.

Motion was made by Cerovski that the Speaker appoint a special committee of three members of the House for the purpose of studying the activities of the Board of Equalization in its relations with the various county commissioners and the various county assessors and particularly its devised method of assessing real property. And further, that the committee be given subpoena powers and that the committee may expend whatever moneys might be necessary to conduct this investigation. This committee shall report back to the House its findings on the 50th Legislative Day. Motion carried.

The following House Joint Resolution was introduced, read first time and referred to Committee:

House Joint Resolution No. 17, introduced by Hanks, Haines: A Joint Resolution of the Senate and House of Representatives asking that the scenic beauty of Montana be given full consideration by state and federal agencies of government when other natural resources are being developed. Referred to Committee on Business and Industry.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 179, introduced by Willits, Gilligan, Holtz, Gunderson, Johnson, McDonald, Hall, Pierce, Lombardi, Gilfeather, Obstarczyk, Delano, McNamer, O'Leary, Haines, Mather, Healy: A bill for an act entitled: "An act to amend Sections 11-3905 and 11-3906, Revised Codes of Montana, 1947, relating to elections in connection with urban renewal projects, and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 180, introduced by Tracy, Deschamps, Lombardi, Shugrue, Healy, Sullivan: A bill for an act entitled: "An act amending Section 69-1329, R. C. M. 1947, as enacted by Chapter 142 of the Laws of the 34th Legislative Assembly, 1955, relating to State Water Pollution Council, and 69-1331, R. C. M. 1947, as enacted by Chapter 142 of the Laws of the 34th Legislative Assembly, 1955, relating to the powers and duties of the Board of Health." Referred to Committee on State Administration.

House Bill No. 181, introduced by McNamer, Sheehy: A bill for an act entitled: "An act relating to validation of judicial sales of real property and curing defects or irregularities in the issuance of execution, manner of making or conducting the sale, or in the recitals or reference in sheriffs' deeds." Referred to Committee on Judiciary.

House Bill No. 182, introduced by McNamer, Sheehy: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged, imparting notice by recording thereof, providing that duly certified copies thereof may be read in evidence with like effect as copies of an instrument duly acknowledged and recorded, containing a repealing clause and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 183, introduced by McNamer, Sheehy: A bill for an act entitled: "An act to validate all royalty and minerals reservations and agreements applicable thereto heretofore made by counties, containing a repealing clause and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 184, introduced by McNamer, Sheehy: A bill for an act entitled: "An act validating deeds and conveyances in sales of land and personal property heretofore made by trustees, executors, administrators and guardians, curing defects and irregularities in such sales, containing a repealing clause and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 185, introduced by McNamer, Sheehy: A bill for an act entitled: "An act validating deeds and conveyances heretofore made which are defective in execution or acknowledgment, providing that such instruments shall be conclusive evidence of title against the grantors, containing a repealing clause and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 186, introduced by McNamer, Sheehy: A bill for an act entitled: "An act to validate records of court proceedings containing defects, omissions, informalities or irregularities in obtaining a judgment or decree affecting real property, in which time for appeal has expired, providing that duly certified copies of such judgment or decree may be read in evidence with the same effect as judgments or decrees duly and regularly obtained, recorded and entered, and providing for a repealing clause and an effective date." Referred to Committee on Judiciary.

House Bill No. 187, introduced by Schepens, Hanks, Willits: A bill for an act entitled: "An act to create a State Bureau of Criminal Identification, and Statistics under the department of the attorney general; providing the general powers and duties; providing for laboratory and clinical facilities; providing for transmission of records to the bureau; providing for appointment and discharge of personnel; providing for a records section at the state penitentiary; providing for money for the operation of the bureau; amending Sections 25-226 and 25-201, Revised Codes of Montana, 1947, as

amended; providing for appropriation of fees collected; repealing certain acts in conflict therewith and providing an effective date." Referred to Committee on State Administration.

House Bill No. 188, introduced by Jensen, Selstad, Haines, Healy, O'Leary, Obstarczyk, Lombardi, McDonald, Lucas, Mather: A bill for an act entitled: "An act to amend Section 53-103 of the Revised Codes of Montana, 1947; to amend Section 53-106 of the Revised Codes of Montana, 1947; to amend Section 53-108 of the Revised Codes of Montana, 1947; to amend Section 53-115 of the Revised Codes of Montana, 1947; to amend Chapter 1, Title 53, Revised Codes of Montana, 1947, by adding new Sections 53-115.1, 53-115.2, 53-115.3, 53-115.4, 53-115.5, and 53-115.6; to amend Section 53-116, Revised Codes of Montana, 1947; and to amend Section 53-119, Revised Codes of Montana, 1947; relating to motor vehicles and their registration and licensing by providing for and establishing a twelve-month registration and licensing period on certain vehicles; providing for an affidavit stating that the vehicle had not been operated on the highways of the state of Montana during the immediate previous registration period; providing for eight classifications of number plates to be renewed every twelve months bearing distinctive numbers and/or letters identifying each registration period; providing for the expiration date of vehicle registrations; providing for the effective date of the renewal of the registration; providing when vehicles can be operated without displaying the registration certificate; providing for the time for registering and application for registering certain of those motor vehicles which by Section 53-615 must pay an additional fee; providing for the designation of the registration period on the license plates; providing for the expiration of the registration and licensing period; providing for subsequent registration and licensing periods; designating the vehicles subject to this act; providing for initial registration and licensing periods; providing for registration and licensing dates for vehicles owned and not owned on effective date of this act; providing for the pro-rating of certain taxes and fees on vehicles registered and licensed for less than twelve months; stating the intent of the act; providing the method of computing the pro-rated taxes and fees; providing for the assignment of an appropriate number plate by the treasurer and the shipment of the number plates; providing for the display of the number plate bearing the monthly series assigned; providing a savings clause; repealing all acts and parts of acts in conflict herewith and providing for an effective date." Referred to Committee on Highways.

House Bill No. 189, introduced by Hanks, Twedt: A bill for an act entitled: "An act to amend Section 16-912, R. C. M. 1947, which sets the compensation and mileage of members of boards of county commissioners, by increasing the compensation and mileage allowed by that section; and to amend Section 32-314, R.C.M. 1947, relating to fees paid to county commissioners or county surveyors for inspecting highways or bridges, by providing for an increase in the fees allowed by that section." Referred to Committee on Townships and Counties.

House Bill No. 190, introduced by Johnson, Twedt, Tracy: A bill for an act entitled: "An act to provide that the spouse of a co-maker or accommodation maker must also sign instrument relative to loans." Referred to Committee on Judiciary.

House Bill No. 191, introduced by Johnson, Gilligan, Twedt, Tracy: A bill for an act entitled: "An act to prohibit waiver of statutory exemptions." Referred to Committee on Judiciary.

House Bill No. 192, introduced by Haines: A bill for an act entitled: "An act amending Section 82-1131, R. C. M. 1963, to change the bid amount to ten thousands dollars (\$10,000.00) or more without first advertising." Referred to Committee on Business and Industry.

House Bill No. 193, introduced by Pierce, Deschamps, Flynn: A bill for an act entitled: "An act to regulate mobile home parks; defining terms; providing for licensure and license fee; and providing procedure for cancellation or denial of license; empowering state board of health of Mon-

tana to make and enforce all necessary regulations including sanitary standards for such establishments; and, to establish cooperative agreements with other Montana agencies; providing for the creation of an advisory council; providing for inspections and report of inspections; empowering state board of health of Montana to issue subpoenas; prescribing penalties; providing for fee required by this act to supercede other fees for same purpose; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and establishing effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 194, introduced by Hanks, Gerke: A bill for an act entitled: "An act to provide for the licensing and regulation of all petroleum dealers and liquefied petroleum dealers who sell or offer to sell to a consumer and the licensing of any device and the regulation of its use when used for the purpose of delivering or distributing such products as are sold or offered for sale by such dealers; repealing Sections 60-201 and 60-202, R. C. M. 1947." Referred to Committee on Agriculture and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 45 do pass.

That House Bill No. 64 do pass.

That House Bill No. 77 do pass.

JUDGE, Chairman.

Report adopted.

UNFINISHED BUSINESS

In accordance with the motion previously carried, the Speaker appointed the following Select Committees:

State Board of Equalization Committee: Gilfeather, Chairman; Atkins, Broeder.

Montana Centennial Commission Committee: Bailey, Chairman; Schepens, Nutting.

Motion was made by Cerovski that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 21, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 45, 64, and 77.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do pass.

WATT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 21, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 33 introduced by Schepens, et al, was this day read third time and concurred in, title and history agreed to, and same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

The following House Joint Resolution was introduced, read first time, and referred to committee:

House Joint Resolution was introduced by McNamer, Bardanouve, Leuthold, Healy, Felt: A Joint Resolution of the Senate and House of Representatives, requesting the Legislative Council to conduct a comprehensive study of the operation, effectiveness and powers of the legislative branch of government. Referred to Committee on State Administration.

FIRST READING AND COMMITMENT OF BILLS

The following were introduced, read first time, appropriation measure at length, and referred to committees:

House Bill No. 195, introduced by Crum, McNamara, Dye, Healy, Selstad, Raundal: A bill for an act entitled: "An act relating to group accident and sickness insurance for persons 65 years of age or older, and their spouses; providing regulation of such insurance by the Commissioner of Insurance; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 196, introduced by Nefzger, Aasheim, Broeder, Christiansen, Sullivan: A bill for an act entitled: "An act to provide for an increase in salaries of certain county officers; to provide for additional salary to county superintendents of schools to be paid from state funds; and amending Sections 25-601, 25-605 and 25-609, R. C. M. 1947." Referred to Committee on Townships and Counties.

House Bill No. 197, introduced by Judge, Lucas: A bill for an act entitled: "An act to amend Section 79-1202, Revised Codes of Montana, 1947, as last amended by Chapter 67, Laws of Montana, 1963, relating to investment of funds of the state of Montana, and altering the types of securities in which the long term investment fund may be invested; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 198, introduced by Flynn, O'Leary: A bill for an act entitled: "An act relating to professions and occupations; defining terms; providing for the creation of a State Board of Dispensing Opticians; prescribing its powers and duties; prescribing selection, licensing, fees, regulations, hearing, appeal and other procedures; providing for enforcement; and establishing penalties." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 199, introduced by Stranahan, Watt, Meccage, Cummings, Zimmer: A bill for an act entitled: "An act to amend Section 25-605, R. C. M. 1947, which relates to the salaries of county officers; and to provide for an increase in salaries of those county officers." Referred to Committee on Townships and Counties.

House Bill No. 200, introduced by Casey, Bollinger: A bill for an act entitled: "An act to amend section 87-104, R. C. M. 1947, of the Unemployment Compensation Law to provide a reduction in the maximum total amount of benefits payable because of disqualification." Referred to Committee on Labor and Compensation.

House Bill No. 201, introduced by Delano, Healy: A bill for an act entitled: "An act to amend Section 26-104 (26), Revised Codes of Montana, as amended by Chapter 40, Session Laws of 1951, Chapter 157, Session Laws of 1955, Chapter 151, Session Laws of 1957, and Chapter 96, Session Laws of 1959, relating to the powers and duties of the State Fish and Game Commission; providing for the authority to promulgate and enforce rules and regulations governing recreational uses of public fishing reservoirs and lakes constructed by the commission or on reservoirs and lakes which it operates under agreement with a federal or state agency or private owner, or on reservoirs or lakes which it operates under agreement in conjunction with a federal or state agency; regulating swimming, boating, including boating speed regulations; repealing all acts or parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Fish and Game.

House Bill No. 202, introduced by James: A bill for an act entitled: "An act providing schedules for payments by the board of trustees of amounts for board or rent or transportation in lieu of furnishing bus transportation; and amending Section 75-3407, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 203, introduced by Selstad, Egan, Fischer, Lund: A bill for an act entitled: "An act to subject to assessment and taxation interests in property of the state of Montana held by taxable ownerships." Referred to Committee on Judiciary.

House Bill No. 204, introduced by Holtz, Aasheim, McDonald: A bill for an act entitled: "An act amending Sections 59-538 and 59-801, R. C. M. 1947, to set per diem rates for district judges and supreme court justices and mileage rates for district court judges, supreme court justices and sheriffs; amending 16-2723 and repealing Sections 93-305 and 93-313, R. C. M. 1947." Referred to Committee on Judiciary.

House Bill No. 205, introduced by Woodard, Rehberg, Smith, Garrison, James, Hanks: A bill for an act entitled: "Appropriating moneys from the earmarked revenue fund, fish and game account, to the livestock sanitary board for the study and investigation of the diseases of game animals, fish and wildlife." Referred to Committee on Appropriations.

House Bill No. 206, introduced by Smiley, Dye: A bill for an act entitled: "An act to reestablish the Gallatin Game Preserve." Referred to Committee on Fish and Game.

House Bill No. 207, introduced by Lucas, Dye, MacCalman, Felt, Delano, Slaby, Gill, Swanz, Egan: A bill for an act entitled: "An act creating the Montana Tax Study Task Force; providing for the appointment of such task force and its purposes and duties; providing an appropriation for the purpose of defraying the expense of such task force." Referred to Committee on Appropriations.

House Bill No. 208, introduced by Mather, Ulmer, Bolinger: A bill for an act entitled: "An act appropriating forty-five thousand dollars (\$45,000.00) for the Montana Bureau of Mines and Geology to fund co-operative greater Montana coal resources research." Referred to Committee on Appropriations.

House Bill No. 209, introduced by Ulmer, Sheehy: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 1, Article VII of the Constitution making the state treasurer eligible to his office for the succeeding term." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 210, introduced by McNamer, McNamara, Smiley: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 5, Article XVI of the Constitution of Montana deleting the office of coroner from the enumeration of elected county officers." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 211, introduced by McNamer, McNamara, Smiley: A bill for an act entitled: "An act establishing a district coroner system in the state of Montana; providing for the creation of coroner districts; providing for the election of district coroners; providing for the qualifications of district coroners; prescribing the duties and responsibilities of district coroners; providing for the appointment of deputy district coroners; providing a penalty for persons who fail to report unnatural deaths to the office of district coroner or deputy district coroner; providing for a manual to be prepared for district coroners by the attorney general; providing for the performance or the ordering of the performance of autopsy examinations in certain cases investigated by the district coroner; providing for the filing of written reports of investigation conducted by the district coroner; providing for the use of specialists to assist the district coroner and for their compensation when they render assistance in investigations conducted by the district coroner; providing for the appointment of district coroners by the Governor when the office of district coroner becomes vacant; providing the salary to be paid to district coroners; providing for the allocation of funds for the expense of maintaining the district coroners' offices; providing for mileage expenses to be paid to deputy district coroners; providing for the bonding of district coroners and deputy district coroners; amending Sections 16-2403, 16-2406 and 94-3915, R. C. M. 1947, by deleting all references therein to coroners as county officers; amending Section 16-2615, 16-2616 and 16-2617, R. C. M., 1947, by making reference to district and deputy district coroners and by referring to investigated deaths rather than inquests; amending Sections 16-3402, 16-3403, 16-3404, 16-3408, R.C.M., 1947, to refer to the district coroners; amending Section 25-403, R.C.M., 1947, by deleting the reference to coroners inquests; amending Section 69-2308, R.C.M., 1947, to refer to district coroners and to investigations of deaths and deleting all references to coroners inquests; repealing Sections 16-2720, 16-3401, 16-3405, 16-3406, 16-3407, 16-3409, 16-3410, 25-236, 50-524, 94-201-1, 94-201-2, 94-201-3, 94-201-4, 94-201-5, 94-201-6, 94-201-7, 94-201-8, 94-201-9, 94-201-10, 94-201-11, 94-201-12, and 94-201-13, R.C.M., 1947, and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 212, introduced by Felt, Christiansen, Schye: A bill for an act entitled: "An act requiring the State Highway Commission to determine that all property taxes on land acquired for state highway purposes have been paid, and if necessary, to withhold a sufficient amount from the acquisition cost to pay the same; and amending Section 32-1615, R. C. M., 1947." Referred to Committee on State Administration.

House Bill No. 213, introduced by Bailey, Pierce, McDonald: A bill for an act entitled: "An act amending Section 53-119.1 R. C. M., 1947, enacted as Section 1, Chapter 182, Laws of 1955 to provide for the movement of mobile homes or house trailers as unladen vehicles when all items are removed except the equipment originally installed by the manufacturer and the personal effects of the owner." Referred to Committee on Highways.

House Bill No. 214, introduced by Zimmer, Stranahan, Jensen, McNamer: A bill for an act entitled: "An act to amend Section 84-501, R. C. M., 1947, requiring additional information to be set forth in assessment books so that the lists of persons qualified to serve as trial jurors

provided for by Section 93-1402, R. C. M., 1947, will not contain the names of persons incompetent to be jurors." Referred to Committee on Townships and Counties.

House Bill No. 215, introduced by Healy, Twedt, Gilligan, Obstarczyk, Hall, Tracy, Schye, Shugrue, Felt: A bill for an act entitled: "An act to amend Section 84-4942, R. C. M., 1947, to require employers of agricultural, farm or ranch labor to withhold from wages due such employees income tax due to the State of Montana; exempting foreign laborers; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture and Irrigation.

House Bill No. 216, introduced by Stranahan, Leuthold, O'Hair, Smiley: A bill for an act entitled: "An act to amend Section 89-2932, R. C. M., 1947, concerning the appointment of Ground Water Commissioners and their duties." Referred to Committee on State Administration.

House Bill No. 217, introduced by Zimmer, Stranahan, Jensen, Slaby: A bill for an act entitled: "An act to amend Section 25-401, R. C. M., 1947, as amended by Section 1, Chapter 117, Laws of 1963, increasing the fees of grand and trial jurors from ten dollars per day to sixteen dollars per day." Referred to Committee on Judiciary.

House Bill No. 218, introduced by Wayrynen, Sheehy: A bill for an act entitled: "An act declaring it a state responsibility to furnish funds to counties for the care of indigent sick or otherwise dependent poor persons, authorizing a state property tax not to exceed eight and one-half (8½) mills for a period of ten years beginning in 1969 and removing county property taxes for this purpose; submitting the first three sections of this act to electorate at the November, 1966 general election; amending Sections 10-507, 10-519, 10-524, 16-1038, 16-1907, 16-2008, 16-3802, 71-101, 71-106, 71-118, 71-211, 71-212, 71-217, 71-222, 71-230, 71-250, 71-308, 71-309, 71-311, 71-410, 71-412, R. C. M., 1947; and repealing Sections 16-2014 through 16-2018, 71-405, 71-508, 71-611, and 71-1206, R. C. M., 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 219, introduced by Wayrynen, Sheehy, Obstarczyk: A bill for an act entitled: "An act requiring that the dispensing of motor fuel into the fuel tank of a motor vehicle or into a container at an automotive service station be made by a competent attendant at all times, and defining automotive service stations." Referred to Committee on Business and Industry.

House Bill No. 220, introduced by Sheehy, Wayrynen: A bill for an act entitled: "An act specifying conditions under which forfeiture of bail or deposit instead of bail shall be discharged; amending Section 94-8704, R. C. M., 1947." Referred to Committee on Judiciary.

House Bill No. 221, introduced by Sheehy, Schepens, Meccage, McNamara: A bill for an act entitled: "An act to amend Section 25-605 of the Revised Codes of Montana, 1947, providing for an increase in salaries, and for minimum salaries, and containing a repealing clause." Referred to Committee on Townships and Counties.

Cerovski requested that the House revert to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Joint Resolution No. 12, respectfully report as follows: That House Joint Resolution No. 12 do pass.

TRACY, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Friday, January 22, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

NINETEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 22, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Brenner, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Eighteenth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

January 22, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 33.

HARPER, Chairman.

January 21, 1965

I have examined House Bill No. 33 introduced by me and find the same to be correct.

SCHEPENS.

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 33.

January 22, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bill No. 33, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:10 o'clock a. m., delivered to the Governor for his approval.

HARPER, Chairman.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 222, introduced by Bardanouve: A bill for an act entitled: "An act amending Section 89-1208, R.C.M. 1947, to increase the salary of irrigation district commissioners." Referred to Committee on Agriculture and Irrigation.

House Bill No. 223, introduced by Leuthold, Williams, Twedt: A bill for an act entitled: "An act increasing the time period for which special improvement district bonds may be issued by county commissioners from twenty to thirty years; amending Sections 16-1613 and 16-1620, R. C. M. 1947." Referred to Committee on Townships and Counties.

House Bill No. 224, introduced by Mather, East, Haines, McNamara, Christiansen: A bill for an act entitled: "An act amending Section 23-517 R. C. M. 1947, providing for the cancellation of voter registration and the registration of voters; and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 225, introduced by Johnson—by request: A bill for an act entitled: "An act raising the limitation on taxes levied for general municipi-

pal or administrative purposes from twenty to forty mills in first class cities having a valuation of six million dollars or less." Referred to Committee on Affairs of Cities.

House Bill No. 226, introduced by Rehberg, Lund, Pierce, Gerke, O'Leary, Sheehy, McNamer, Woodard: A bill for an act entitled: "An act changing the method for computing school tuition payments for mentally retarded or physically handicapped children; and amending Section 75-5003, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 227, introduced by Rehberg, Lund, Pierce, Gerke, Sheehy, O'Leary, McNamer, Woodard: A bill for an act entitled: "An act changing the method for computing school tuition payments; amending Sections 75-1630 and 75-4230, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 228, introduced by Haines, McNamara, Obstarczyk: A bill for an act entitled: "An act to amend Section 40-3011, Revised Codes of Montana, 1947, as enacted by Chapter 286, Session Laws of Montana, 1959, relating to the valuation of life insurance policies and contracts; prescribing additional mortality tables for such valuation; and providing for an effective date." Referred to Committee on Business and Industry.

House Bill No. 229, introduced by Haines, McNamara, Obstarczyk: A bill for an act entitled: "An act to amend Section 40-3831, Revised Codes of Montana, 1947, as enacted by Chapter 286, Session Laws of Montana, 1959, relating to nonforfeiture provisions in life insurance policies; and providing for an effective date." Referred to Committee on Business and Industry.

House Bill No. 230, introduced by Felt, Lucas, Sheehy: A bill for an act entitled: "An act relating to discontinuance of workmen's compensation payments by an insurer, requiring approval by the Industrial Accident Board prior to such discontinuance, requiring the insurer to file a petition for discontinuance with the boards and serve a copy on the claimant, requiring an investigation and issuance of an order by the board regarding payments; providing that no appeal may be taken from the board's order, reserving powers in the board, without notice, regarding continuance or discontinuance of payments, and providing for a repealing clause." Referred to Committee on Business and Industry.

House Bill No. 231, introduced by Leuthold, Broeder, Nelson, Swanz, Rehberg: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1965 and 1966, providing a severability clause and an effective date." Referred to Committee on Ways and Means.

House Bill No. 232, introduced by Judge—by request: A bill for an act entitled: "An act to amend Section 82-1925, Revised Codes of Montana, 1957, Replacement Volume 5, as amended, by providing restrictions on Montana residents in relation to contracts on materials, supplies, equipment, construction, repair and public works of all kinds for Montana agencies, political subdivisions, schools and other public coparties, by adding thereto a new sub-section to be known as Section 82-1925 (1) by prohibiting a Montana resident, partnership or corporation from being a broker, agent, or sub-agent on bidding and receiving contracts from Montana agencies, political sub-divisions, school districts and other public corporations for a non-resident, foreign partnerships or foreign corporations, providing for a hearing thereof: providing for a savings clause, and rejecting all laws in conflict herewith." Referred to Committee on Business and Industry.

House Bill No. 233, introduced by Woodard, Rehberg, James: A bill for an act entitled: "An act amending Section 75-1618, R.C.M. 1947, to require that a person voting at an election of school trustees must be a registered voter." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 234, introduced by Williams, McOmber: A bill for an act entitled: "An act regulating dealers engaged in buying hay; providing for

licenses and bonds; providing a penalty for violations; and repealing all conflicting acts or parts of acts." Referred to Committee on Agriculture and Irrigation.

House Bill No. 235, introduced by Sheehy: A bill for an act entitled: "An act to amend Section 27-203, R. C. M. 1947, by adding thereto a subsection which would provide that one who manufactures or sells an economic poison warrants the same to any buyer or ultimate user that the product is free from defects, that improper materials were not knowingly used therein, and that the product is reasonably fit and suitable for the particular purposes for which it was manufactured and sold." Referred to Committee on Business and Industry.

House Bill No. 236, introduced by Sheehy, Lucas, Obstarczyk, Willits, Mather: A bill for an act entitled: "An act to provide for annual payments from the premium tax collected on motor vehicle insurance to every city or town having a police department; providing how such payments shall be expended by the cities or towns." Referred to Committee on Affairs of Cities.

House Bill No. 237, introduced by Sheehy, Obstarczyk, Willits, Deschamps: A bill for an act entitled: "An act to amend Section 40-2821, R. C. M., 1947, by extending the period when the tax on net insurance premiums shall be two and one-quarter per cent (2¼%) of such premiums from the calendar years 1963 and 1964 to the calendar years 1965 and 1966." Referred to Committee on Ways and Means.

House Bill No. 238, introduced by Sheehy, Felt: A bill for an act entitled: "An act relating to eminent domain proceedings; altering and revising the procedures for determining compensation to be paid defendants and for putting the plaintiff in possession; amending Section 93-9911, R. C. M. 1947, relating to the power of the court and preliminary condemnation order; amending Sections 93-9912 and 93-9914, R. C. M. 1947, to provide for a preliminary assessment of compensation by the district court and granting defendants the right to elect whether the final determination and assessment of compensation will be made by condemnation commissioners or a jury, and to provide generally for the determination and assessment of compensation; amending Section 93-9915, R. C. M. 1947, to provide the procedure for determining compensation in district court and to provide generally for the rights of the parties; amending Section 93-9920, R. C. M. 1947, to provide the procedure for putting the plaintiff in possession; repealing all acts or parts of acts in conflict herewith; and providing a severability clause and an effective date." Referred to Committee on Judiciary.

House Bill No. 239, introduced by Sheehy, Felt: A bill for an act entitled: "An act relating to eminent domain proceedings; amending section 93-9913, R. C. M. 1947, to clarify the interest payable to a property owner; repealing all acts or parts of acts in conflict herewith; and providing a severability clause and an effective date." Referred to Committee on Judiciary.

House Bill No. 240, introduced by Sheehy, Delano, Lombardi, MacCalman: A bill for an act entitled: "An act to amend Section 92-902, Revised Codes of Montana, 1947, relating to the minimum assessment to be paid to the Industrial Accident Board at the time of filing of proof of solvency under the Workmen's Compensation Act of Montana, plan one, providing for a minimum assessment in the amount of seventy-five dollars per year; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Labor and Compensation.

House Bill No. 241, introduced by Sheehy: A bill for an act entitled: "An act providing for the number of state senators from each county; for the establishment and determination of senatorial districts; fixing the duties of the Board of County Commissioners of the several counties to determine the boundaries of senatorial districts and the publication of such districts; providing for the mapping of senatorial districts and filing the same in the

offices of the County Clerks of the counties; providing for the numbering of senatorial districts and the designation by candidates for the State Senate of the districts in which such candidates seek election; providing that State Senators shall be elected from within senatorial districts; providing for years in which Senators shall be elected and safeguarding the terms of hold-over Senators; providing that the Boards of County Commissioners shall act in cases where counties have an increase, or suffer a decrease, in senatorial districts; providing for appeal to the district court from any act or failure to act of the Board of County Commissioners under this act; providing for the repeal of Section 43-101, Revised Codes of Montana, 1947, and providing that this entire act shall be null and void if found unconstitutional; and providing for an effective date." Referred to Committee on Reapportionment.

House Bill No. 242, introduced by Sheehy: A bill for an act entitled: "An act providing for the number of Representatives in the State House of Representatives; providing for the apportionment of Representatives among and to the several counties of the state; providing for the number of Representatives to be elected from each county until otherwise apportioned; providing for the establishment and determination of representative districts; fixing the duties of the Board of County Commissioners of the several counties to determine the boundaries of representative districts and the publication of such districts; providing for the mapping of representative districts and filing the same in the offices of the County Clerks of the counties; providing for the numbering of representative districts and the designation by candidates for the State House of Representatives of the representatives districts in which such candidates seek election; providing that Representatives shall be elected from within representative districts; providing for an appeal to the District Court from any act or failure to act of the Board of County Commissioners under this act; providing that this act shall supersede the provisions of Section 43-103, and Section 43-104, Revised Codes of Montana, 1947, and all amendments thereto, but not repealing said sections or amendments thereto; providing that this entire act shall be null and void if found unconstitutional; and providing for an effective date." Referred to Committee on Reapportionment.

House Bill No. 243, introduced by Sheehy, Healy, Shugrue, Lombardi, Haines, Pierce, Tracy, Meccage, Raundal, Nefzger, Atkins, Willits, Slaby, Johnson, Harper: A bill for an act entitled: "An act making the transcription or recording of human conversation without the knowledge and consent of the parties thereto a felony; providing a punishment therefor; and excepting public officials and employees when in the performance of official duty." Referred to Committee on Judiciary.

House Bill No. 244, introduced by Harper: A bill for an act entitled: "An act requiring the installation of traffic control devices on the public highways in this state at points where school children frequently cross." Referred to Committee on Highways.

House Bill No. 245, introduced by Harper: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article XIX of the Constitution of Montana removing the prohibition against lotteries and gift enterprises and commanding the Legislative Assembly to provide for a state gaming agency." Referred to Committee on Ways and Means.

House Bill No. 246, introduced by Bailey, Tracy, Pierce, Dye, Loman, Judge: A bill for an act entitled: "An act defining master electricians, journeyman electricians, and electrical contractors, and setting forth the qualifications, examination and licensing of each; adopting a code of standards; providing for certain exceptions; establishing a state electrical board; providing for appointment of state electrical inspectors; providing for the issuance of licenses and temporary permits and inspection fees; providing for license examination; providing for disposition of fees; providing a penalty; repealing Sections 12-1180 and 16-1181; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 247, introduced by Highways Committee: A bill for an act entitled: "An act making it unlawful to damage, deface or remove any sign, signal or marker erected on the right of way of any state or interstate highway, requiring the State Highway Commission to post notices hereof; providing for a penalty, reward and a repealing clause." Referred to Committee on Highways.

House Bill No. 248, introduced by Highways Committee: A bill for an act entitled: "An act to amend Section 31-104, R. C. M., 1947, relating to the term, salary, qualifications and responsibilities of the Highway Patrol Supervisor; deleting statutory salary provision of section and authorizing Montana Highway Patrol Board to fix the salary of the supervisor within the limits of the appropriation made and with the approval of the State Board of Examiners; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 249, introduced by Highways Committee: A bill for an act entitled: "An act to amend Section 32-2175, Revised Codes of Montana, 1947, relating to obedience by drivers of motor vehicles to authorized emergency vehicles; prohibiting a driver of a motor vehicle from fleeing or attempting to elude police officer or highway patrolman; requiring driver to bring vehicle to stop when properly signaled or directed by officer; providing penalty for violation of act; requiring police officer or highway patrolman to be in uniform and that vehicle operated by such officer shall be appropriately identified as a police vehicle; authorizing Highway Patrol Board to suspend driver license or privilege to drive of a person convicted of violating act; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 250, introduced by Highways Committee: A bill for an act entitled: "An act to amend Section 31-110, R.C.M., 1947, relating to arrest authority and enforcement power by highway patrolmen; deleting a provision which prohibits patrolmen from congregating to suppress riots or preserve the peace, deleting obsolete material relating to the examining of drivers and reporting information concerning unfit or unsafe drivers to the licensing authority; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 251, introduced by Rygg, Broeder, Atkins, Laas, Watt: A bill for an act entitled: "An act to amend Section 92-827, Revised Codes of Montana of 1947, as amended by Chapter 170 of the Laws of Montana of 1959, relating to the record of proceedings and the regulation of attorney's fees by the Industrial Accident Board; repealing all acts or parts of acts in conflict herewith, and providing an effective date." Referred to Committee on State Administration.

House Bill No. 252, introduced by Sheehy, Tracy: A bill for an act entitled: "An act to promote and encourage proficiency in volunteer firemen and volunteer fire companies in unincorporated areas, villages and towns, through the establishment of a health and welfare fund; authorizing the Board of County Commissioners to levy a two-mill tax upon the property within each volunteer fire district, and requiring such levy when requested by the chief of the volunteer fire company within such volunteer fire district, with approval of a majority of the active membership of such volunteer fire company; providing for administration of funds raised by such mill levy by the chief of such volunteer fire company, under a plan to be formulated by such chief and approved by a majority of the active membership of such volunteer fire company; providing for an effective date and containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 253, introduced by Harper, Haines, Schepens, Nefzger: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to repeal Section 1b, Article XII of the Constitution of Montana so that monies derived from fees, excises or license taxes relating to registration, operation or use of vehicles on the public highways or to fuels used for the propulsion of such vehicles may be expended for purposes

other than those presently enumerated in Section 1b, Article XII." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 254, introduced by McNamara, Judge, Delano: A bill for an act entitled: "An act amending Section 11-986, R. C. M. 1947, by deleting the prohibition against cities and towns erecting structures on parking areas." Referred to Committee on Affairs of Cities.

House Bill No. 255, introduced by Obstarczyk, O'Hair, Hall: A bill for an act entitled: "An act to provide a residency requirement for appraisers employed by the State of Montana." Referred to Committee on State Administration.

House Bill No. 256, introduced by Deschamps, Flynn, Sullivan, Watt: A bill for an act entitled: "An act pertaining to the establishment of junior high schools; and amending Sections 75-4201 and 75-4202, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 257, introduced by Flynn, Schye: A bill for an act entitled: "An act requiring manufacturers of building material who reside outside the State of Montana to furnish a certificate of approval from an independent testing laboratory and further requiring any building material produced in the State of Montana to be tested and approved by an independent laboratory, and prohibiting any architects from including any untested building material in the specifications for any public buildings, works or improvements." Referred to Committee on Business and Industry.

House Bill No. 258, introduced by Sullivan, Johnson: A bill for an act entitled: "An act amending Section 92-438, defining an independent contractor and relating to legal defense of independent contractor." Referred to Committee on Labor and Compensation.

House Bill No. 259, introduced by Sullivan, Johnson: A bill for an act entitled: "An act amending Section 92-410, defining employer." Referred to Committee on Labor and Compensation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Selstad of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 73 do pass.

That House Bill No. 7 be amended in Section 1 by inserting the word "county" after the word "state" in line 25 of the printed bill,

And as so amended, do pass.

That House Bill No. 87 do pass.

SELSTAD, Chairman.

Selstad moved for adoption of the committee report.

Substitute motion was made by Smiley that House Bill No. 7 be segregated from the Committee of the Whole report. Substitute motion carried. Report adopted as amended.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 22 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum,

Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Brenner, Judge. Total 2.

House Bill No. 57 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: Boughton. Total 1.

Paired: Judge, aye; Schye, no.

Absent or not voting: None.

Excused: Brenner. Total 1.

House Bill No. 58 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Garrison, Smith, Williams. Total 3.

Absent or not voting: Aasheim. Total 1.

Excused: Brenner, Judge. Total 2.

House Bill No. 59 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, John-

son, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Deschamps. Total 1.

Excused: Brenner, Judge. Total 2.

House Bill No. 70 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkens-tern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Brenner, Judge. Total 2.

House Bill No. 23 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkens-tern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: Garrison, Smith. Total 2.

Absent or not voting: Jensen. Total 1.

Excused: Brenner, Judge. Total 2.

House Bill No. 106 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkens-tern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy,

Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Brenner, Judge. Total 2.

House Bill No. 103 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstein, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Zimmer. Total 1.

Excused: Brenner, Judge. Total 2.

Cerovski requested that the House revert to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Motion was made by McNamer that House Bills Nos. 93, 210 and 211 be taken from the Committee on Public Health, Welfare and Safety and referred to Committee on Judiciary. Motion carried.

Cerovski requested that the House revert to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

January 22, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 97, 75, and House Joint Resolution No. 12, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

January 21, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 100, 49, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

January 21, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 38, 89 and House Joint Resolution No. 10, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 do pass.

LAAS, Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 be amended as follows:

1. Amend Section 1 of the original bill on page 1 by deleting all of the material beginning with the word "tractors" on line 19 and ending with the word "vehicles" on line 26 and substitute therefore the following:

"providing for deposit of all fees other than license fees, except dealer license fees, collected by the registrar of motor vehicles, in the motor vehicle recording account for the payment of expenses of the maintenance and operation of the department of the registrar of motor vehicles."

2. Further amend Section 1 of the original bill on page 4 by deleting all of the material beginning with the letter "(c)" on line 28 and through the word "said" on line 32, and all of the material on page 5 and all of the material on page 6 and substituting therefore the following:

"(c) In every county which does not have within its borders a city and area coming within the provisions of subsections (a) and (b) above, the net license fee derived from the registration of motor vehicles shall be by the registrar of motor vehicles transmitted to, and paid over to the county treasurer of each such county and shall be allocated and divided by the county treasurer as hereinafter provided. The motor vehicle license fund in each such county shall be divided between accounts designated as "city road fund" and "county road fund" in a pro rata manner based upon the total number of miles of all public streets and highways situated within the limits of incorporated cities and towns within each county as compared with the total number of miles of public streets and highways situated within the county, but outside the corporate limits of any incorporated cities and towns.

The license fees held in the city road fund, as hereinabove provided shall be at the end of each thirty (30) day period beginning March 1, 1964, be paid by the county treasurer to the treasurer of each incorporated city or town within the county in a pro rata manner based upon the number of miles of all public streets and highways situated within such city or town as compared to the total number of miles of all public streets and highways within the limits of all incorporated cities and towns within the county. The city or town treasurer shall hold said moneys in a separate fund designated as the "city road fund" which shall be used by the city or town council only for the construction and repair of streets and highways within the corporate limits of such incorporated city or town.

The net license fees derived from the registration of vehicles shall be used by said county for the construction, repair and maintenance of all public highways, except state and federal highways, within the boundaries of said county.

If any dealer, or motor vehicle, house trailer, trailer, or semitrailer is originally registered six (6) months after the time of registration as set by law, the registration or license fee for the remainder of such year shall be one-half ($\frac{1}{2}$) of the regular fee above given.

A dealer in motor vehicles or trailers who shall maintain more than one (1) place of business or who shall maintain any branch establishment or establishments, must register and pay a registration or license fee for each such place of business or establishment.

A registered dealer, who may sell or dispose of his entire business to any other person, may have his certificate of registration transferred to such purchaser upon filing with the registrar of motor vehicles a statement

containing the name of the registered dealer, the number under which such dealer is registered, the name of the purchaser, and the location of the place of business so sold. Upon the filing of such statement, accompanied by a filing fee of one dollar (\$1.00), the registrar of motor vehicles shall note upon the registration record of such dealer the change of ownership. But no certificate of registration can be transferred unless the entire business of the dealer holding such certificate of registration be sold and disposed of, and no such certificate of registration can be transferred to any person other than the purchasers of such business.

The provisions of this act with respect to the payment of registration fees shall not apply to or be binding upon motor vehicles, trailers, or semitrailers or tractors owned or controlled by the United States of America or any state, county or city, but in all other respects the provisions of this act shall be applicable to and binding upon motor vehicles, tractors, trailers, and semitrailers.

All fees, other than license fees, mentioned and described in Sections 53-110 and 53-112, and in Section 53-135, shall hereafter be deposited in, and paid into, the earmarked revenue fund and shall be used to pay all salaries, operating expenses, and all other expenses of the department of the registrar of motor vehicles. Any reference in this code to the motor vehicle recording fund or the motor vehicle administration fund shall be taken to mean the motor vehicle recording account in the earmarked revenue fund.

Whenever, in the judgment of the state board of examiners, there shall be in said motor vehicle recording account more moneys than are reasonably required or needed to pay all salaries, operating expenses, and all other expenses of the department of the registrar of motor vehicles, such board shall distribute such unneeded surplus or excess to the fifty-six (56) counties of the state in a pro rata manner based upon the total number of motor vehicles registered in each county.

The board of county commissioners of each county which does not have within its borders a city and area coming within the provisions of subsections (a) and (b) above shall prior to March 1 of each year, beginning with the year 1964, determine the number of miles of public streets and highways situated in each incorporated city and town in the county, and the number of miles of public streets and highways within the county, but outside the corporate limits of the incorporated cities and towns, in order that the motor vehicle license and registration fees can be divided between the "county road fund" and each "city road fund" in the pro rata manner as provided in this act. The board of county commissioners shall at the same time also compute the percentage of said motor vehicle license and registration fees to be paid by the county treasurer to the treasurer of each incorporated city and town and also the percentage to be deposited in the county road fund.

And as amended, do pass.

LAAS, Chairman.

MESSAGES FROM THE GOVERNOR

January 22, 1965

Received from the Chairman of the Bills Committee, House Bill No. 33 at 10:10 p. m.

TIM BABCOCK, Governor,
by Jeannie Morris, Secretary.

Motion was made by Cerovski that the House recess until 1:30 p. m. this date. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 do not pass.

SHEEHY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 22, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 11 introduced by Eskildsen, et al., was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

January 22, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 9, introduced by Mathers, et al.

Senate Bill No. 16, introduced by Groff and Rieder.

Senate Bill No. 35, introduced by Rieder.

Senate Joint Resolution No. 3, introduced by McGowan, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following resolutions were introduced, read first time, and referred to committees:

House Joint Resolution No. 19, introduced by Williams, Hanks, Stranan, Bailey, Leuthold: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Federal Government change the name of Canyon Ferry Reservoir to Lake Broadwater. Referred to Committee on Agriculture and Irrigation.

House Joint Resolution No. 20, introduced by Lucas, Felt, Haines, Selstad, Delano, Broeder, Leuthold, Nelson, East, MacCalman, Swanz, Rehberg, Crum, Dye: A Joint Resolution of the Senate and the House of Rep-

representatives consenting to a capital construction program. Referred to Committee on State Administration.

Senate Joint Resolution No. 3, introduced by McGowan, Harris, Davis, Kafka: A Joint Resolution of the Senate and House of Representatives directing the Legislative Council to compile an inventory of water, mineral, timber, petroleum, and other natural resources of the state and submit a written report of this inventory to the Fortieth Legislative Assembly. Referred to Committee on State Administration.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

House Bill No. 260, introduced by Stranahan, Sullivan, Cummings, Eklund, Schepens, Raundal, Atkins, Meccage: A bill for an act entitled: "An act providing for a license tax for all persons engaged in the business in this state of selling or issuing to a merchant any trading stamps. Referred to Committee on Business and Industry.

House Bill No. 261, introduced by East, Bashor, Gerke, Swanz, Jenkins: A bill for an act entitled: "An act making it unlawful to obtain or attempt to obtain goods, property or services by false or fraudulent use of credit cards or other false or fraudulent means, and providing penalties therefor." Referred to Committee on Business and Industry.

House Bill No. 262, introduced by Schepens, Tooke, Prevost: A bill for an act entitled: "An act to amend Section 26-201, R. C. M. 1947, as amended, redefining angling or fishing, and further redefining game fish to include all species of the genus polydon (paddlefish)." Referred to Committee on Fish and Game.

House Bill No. 263, introduced by Delano, Tooke, Zimmer: A bill for an act entitled: "An act to amend Section 26-104, R. C. M. 1947, relating to powers and duties of the Fish and Game Commission, by authorizing the commission to acquire easements upon land and waters suitable for fish and game purposes, by prescribing the manner of conveyance of fish and game land and waters held in the name of the State of Montana, by authorizing the commission to fix possession limits and season limits of fish and game and to declare special seasons to take game birds and fish and fur-bearing animals, and by authorizing the commission to promulgate rules governing use of lands acquired or operated by it in the interest of public health, safety and protection of property." Referred to Committee on Fish and Game.

House Bill No. 264, introduced by Deschamps, Cregg, Flynn, Haines, Bollinger, Gilfeather, Sartz, Sheehy, Bardanouve, Johnson, Twedt, Sullivan, O'Hair, Nichols: A bill for an act entitled: "An act amending Section 75-1302, R. C. M. 1947, referring to the powers of the State Superintendent of Public Instruction." Referred to Committee on Education.

House Bill No. 265, introduced by Gill, Bailey, Smith, Garrison: A bill for an act entitled: "An act requiring advice and consent of the Senate on appointment of certain commission members; amending Section 26-102, R. C. M. 1947." Referred to Committee on Fish and Game.

House Bill No. 266, introduced by Haines: A bill for an act entitled: "An act to provide the basis of assessment and taxation of property belonging to veterans which is not used in commerce or for profit." Referred to Committee on Townships and Counties.

House Bill No. 267, introduced by Haines, Zimmer: A bill for an act entitled: "An act relating to a limitation on levies for rural fire districts by county commissioners and providing for special elections in certain cases." Referred to Committee on Townships and Counties.

House Bill No. 268, introduced by Schye, Deschamps: A bill for an act entitled: "An act making it unlawful to throw, dump, deposit or cause to be deposited, any garbage, refuse, waste or litter on the right of way of any state, interstate, or secondary highway, providing for a penalty, reward and a repealing clause." Referred to Committee on Highways.

House Bill No. 269, introduced by Felt by request: A bill for an act entitled: "An act setting forth definitions relative to income tax; providing rates of income taxation; providing tax computation for period less than twelve (12) months; amending Sections 84-4901 and 84-4902, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 270, introduced by Felt by request: A bill for an act entitled: "An act defining adjusted gross income; amending Section 84-4905, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 271, introduced by McNamer by request: A bill for an act entitled: "An act providing for deductions in computing net income; amending Sections 84-4906 and 84-4908, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 272, introduced by McNamer, Sheehy: A bill for an act entitled: "An act providing for filing income tax returns; allowing credit for income taxes imposed by another state or country; providing for withholding payments by employer; amending Sections 84-4919, 84-4937 and 84-4946, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 273, introduced by McNamer, Sheehy: A bill for an act entitled: "An act providing for release and discharge of liens imposed with respect to any tax due under Title 84, Chapter 49, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 274, introduced by Felt by request: A bill for an act entitled: "An act relating to property taxation; providing that all property must be assessed at a fair, just and equitable value; describing the methods for determining assessed value; defining assessed value; amending Sections 84-401, 11-1909, 16-502, 75-3724, 84-101, 84-302, 84-305, 84-402, 84-404, 84-501, 84-503 and 84-5401, R. C. M. 1947." Referred to Committees on Ways and Means.

House Bill No. 275, introduced by Felt by request: A bill for an act entitled: "An act providing for the continuing classification of lands and the appraisal of city and town lots, suburban tracts and rural and urban improvements in the State of Montana for assessment and taxation purposes; defining the procedures to be followed and the duties to be performed by the Boards of County Commissioners, County Assessors, and the State Board of Equalization in connection therewith; providing for a means of setting assessed values on lands and improvements classified and appraised; providing for a tax levy; and repealing Sections 84-429.7 to 84-429.13, inclusive, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 276, introduced by Felt, by request: A bill for an act entitled: "An act relating to the procedures for increasing and reducing assessed values of property by county boards of equalization; repealing Sections 84-602, 84-603, 84-604, and 84-605, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 277, introduced by Felt by request: A bill for an act entitled: "An act relating to appeals to the State Board of Equalization; for hearing on such appeals; for the payment and disposition of taxes under protest; and amending Section 84-709, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 278, introduced by Felt by request: A bill for an act entitled: "An act amending Section 84-708, R. C. M. 1947, relating to the duties of the State Board of Equalization; deleting reference to true value; making it a duty of the State Board of Equalization to hold schools for

County Commissioners as well as Appraisers and Assessors; permitting such school to be held on one month's notice to participants at any unit of the university system in cooperation with the staff of the system; and deleting the requirement that the biennial report of the State Board of Equalization contain information relating to gasoline prices." Referred to Committee on Ways and Means.

House Bill No. 279, introduced by McNamer by request: A bill for an act entitled: "An act providing for reports from the County Clerks and Recorders and the County Assessors to the State Board of Equalization relative to real estate sales." Referred to Committee on Ways and Means.

House Bill No. 280, introduced by Watt, Gunderson, Hanks: A bill for an act entitled: "An act to amend Section 75-5101, R. C. M., 1947, relating to acceptance and use of federal funds for schools; containing a repealing clause; and providing an effective date." Referred to Committee on Education.

House Bill No. 281, introduced by Gerke: A bill for an act entitled: "An act to amend Section 11-2226, R. C. M. 1947, which authorizes a city council to order construction of sidewalks and curbs without the formation of a special improvement district; by providing that a city council may order construction of sidewalks, curbs and gutters, or any combination thereof, without the formation of a special improvement district." Referred to Committee on Affairs of Cities.

House Bill No. 282, introduced by Bollinger, Bailey, Aasheim, Nefzger, Casey, Lund: A bill for an act entitled: "An act to appropriate money for the institution of a mental hygiene clinic in the city of Glasgow, Montana, for the people residing in northeastern Montana to be established and operated by the State Department of Mental Hygiene and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 283, introduced by Garrison, James, Smith, Fischer, Gill: A bill for an act entitled: "An act to preserve game animals and protect private property by requiring that nonresident hunters be accompanied by an outfitter or licensed resident, and making any violation a misdemeanor." Referred to Committee on Fish and Game.

House Bill No. 284, introduced by Selstad, Bashor: A bill for an act entitled: "An act amending Section 94-3550, R. C. M. 1947, relating to defrauding the owner of an inn or hotel, mobile home park, tourist camp grounds as defined by Section 69-112, R. C. M. 1947, restaurant, cafe, apartment, rooming or boardinghouse, or hospital, providing for a penalty for violation thereof, containing a repealing clause and providing for an effective date." Referred to Committee on Business and Industry.

House Bill No. 285, introduced by Harper, Tracy, Felt, Lombardi: A bill for an act entitled: "An act to amend Sections 84-6502, and 94-2425, Revised Codes of Montana, 1947, relating to increasing the rate of the license tax on the amount of bets, wagers or entrance fees handled daily by racing association and relating to increasing to sixty (60) the number of days in any one year during which any fair or racing association can conduct races and divide purses among patrons in all counties having a population of forty thousand people or more." Referred to Committee on Ways and Means.

House Bill No. 286, introduced by Christiansen, Sheehy, Cerovski, McNamara, Meccage: A bill for an act entitled: "An act amending Section 84-702, R. C. M. 1947, to require that the members of State Board of Equalization shall be bonded." Referred to Committee on State Administration.

House Bill No. 287, introduced by Watt, Cregg, Smiley: A bill for an act entitled: "An act amending Section 75-1813, R. C. M. 1947, providing for the annexation of second class school districts to first or second class districts." Referred to Committee on Education.

Gilfeather requested that the House revert to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Motion was made by Smiley that House Bill No. 7 be taken from Second Reading of the Bills and rereferred to the Committee on Fish and Game. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 9, introduced by Mather, Brownfield, Brenner, Hibbard, Mackay, Rieder: A bill for an act entitled: "An act requiring the display of signs where imported meats or meat products are sold and requiring the labeling of imported meat or meat products containing imported meat." Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Selstad of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That consideration of House Bill No. 38 be passed for this sitting.

That House Bill No. 89 do pass.

That House Joint Resolution No. 10 do pass.

SELSTAD, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 45 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Startz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Boughton, Crum, Dye, Falkenstern, Smiley, Smith. Total 6.

Absent or not voting: Aasheim, Loman. Total 2.

Excused: Brenner. Total 1.

House Bill No. 64 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum,

Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Loman. Total 1.

Excused: Brenner. Total 1.

House Bill No. 77 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Loman. Total 1.

Excused: Brenner. Total 1.

Cerovski requested that the House revert to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

January 22, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 73 and 87.

HARPER, Chairman.

January 22, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 104, beg leave to report that the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 do not pass.

SHEEHY, Chairman.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 16, introduced by Groff, Rieder: A bill for an act entitled: "An act to amend Section 62-301, R. C. M. 1947, vesting powers and duties concerning state parks in the Fish and Game Commission; amending Section 62-304, R. C. M. 1947, to except wayside camps from Fish and Game control; amending Section 62-307, R. C. M. 1947, giving the Highway Commission powers concerning certain roads; amending Sections 62-310 and 62-311, R. C. M. 1947, making the Fish and Game Commission responsible for maintaining a state scientific and recreational park; amending Section 62-314, R. C. M. 1947, providing for violation of rules relating to state parks; amending Section 84-1812 (1), R. C. M. 1947, to provide one percent of certain license taxes for creation, improvement, and maintenance of state parks used for motor boating; and repealing Section 84-1812 (2), R. C. M. 1947." Referred to Committee on Fish and Game.

Senate Bill No. 35, introduced by Rieder: A bill for an act entitled: "An act to amend Section 26-201, Revised Codes of Montana, 1947, as amended by Chapter 34, Session Laws of 1959, relating to definitions and providing that chukar partridges be defined as upland game birds; the black-footed ferret be added to furbearing animals; removing fox and Canada lynx from furbearing list; containing a repealing clause; and providing for effective date." Referred to Committee on Fish and Game.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Saturday, January 23, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

TWENTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 23, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Bashor, Brenner, Spilde, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Nineteenth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

January 22, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 141, beg leave to report that the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

January 22, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 39, beg leave to report that the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolution No. 10 and House Bill No. 89.

JAMES, Vice-Chairman.

Mr. Speaker, We, your Committee on Business and Industry, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do pass.

JUDGE, Chairman.

Report adopted.

January 22, 1965

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Joint Resolution No. 13, respectfully report as follows: That House Joint Resolution No. 13 do pass.

CUMMINGS, Vice-Chairman.

Report adopted.

January 22, 1965

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Joint Resolution No. 14, respectfully report as follows: That House Joint Resolution No. 14 do pass.

CUMMINGS, Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by McNamer that House Bills Nos. 274, 275, 276, 277, 278 and 279 be removed from Committee on Ways and Means and referred to Committee on Judiciary. Motion carried.

Speaker Pro Tem took the Chair at 10:25 a.m.

The following House Joint Resolutions were introduced, read first time and referred to committees:

House Joint Resolution No. 21, introduced by McNamer, Sheehy, Gilfeather: A Joint Resolution of the Senate and House of Representatives requesting the Governor to reappoint the committee to study the Montana business corporation laws; to expand that committee and the scope of its study to include corporations not for profit; and to develop ways and means whereby a model business corporation code and a model non-profit corporation code can be drafted. Referred to Committee on Business and Industry.

House Joint Resolution No. 22, introduced by Jensen, Smiley, Loman, Dye: A Joint Resolution of the Senate and the House of Representatives of the state of Montana to the Congress of the United States, requesting the study of the need to regulate forecasting of election results on election day by news media. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 23, introduced by Cerovski, Raundal: A Joint Resolution of the House of Representatives and the Senate of the state of Montana to the Honorable Mike Mansfield, the Honorable Lee Metcalf, United States Senators from the state of Montana; the Honorable Arnold Olson and the Honorable James Battin, United States Representatives from the state of Montana; to General George Walker of the Corps of Engineers, Omaha Division; urging Congress to approve development of the Upper Missouri River as outlined by the Corps of Engineer's modified Plan IV. Referred to Committee on Constitution, Elections and Federal Relations.

Mr. Speaker returned to the Chair at 10:45 a.m.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriation measures at length, and referred to committees:

House Bill No. 288, introduced by Bashor: A bill for an act entitled: "An act to amend Section 75-2901 of the Revised Codes of Montana, of 1947, as amended by Section 1 of Chapter 39, Session Laws of Montana, of 1959, relating to compulsory school attendance; requiring parents, guardians or other person having charge of a child seven (7) years of age prior to fall school term and not over eighteen (18) years of age to attend school, either public, private or parochial, accredited by the State Board of Education of the state of Montana; excepting children over eighteen (18) years of age completing the twelfth grade where his wages are necessary for the support of the family; excusing children from school attendance under certain conditions; providing for procedure on appeal where county or city officials refuse to excuse a child from school attendance; and making it a misdemeanor for failure to comply with the provisions of this act. And to amend Section 75-2902 of the Revised Codes of Montana, of 1947, prohibiting the employment of children under eighteen (18) years of age, or a child not completing the twelfth grade, during the school term; permitting children over eighteen (18) years of age to be employed when necessary for the support of his family or their family; requiring age and schooling certificate of children over eighteen (18) years of age not completing twelfth grade before employment; providing penalties for violation of this act; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 289, introduced by Schye, Eskildsen, Flynn: A bill for an act entitled: "An act amending Section 66-114, R.C.M. 1947, by requiring architects to have adequate errors and omissions insurance when performing any supervisory acts relating to the construction of any public buildings, works or improvements; such insurance to be in effect for three years after completion of the public buildings, works or improvements." Referred to Committee on State Administration.

House Bill No. 290, introduced by Sheehy, Lucas, Cerovski, Hall, Felt: A bill for an act entitled: "An act relating to copyrights and public performing rights in musical compositions; to aid in preventing innocent infringements of the rights of copyright owners; to prevent monopolization, block booking, pooling and the tying together of performing rights and to prevent combinations and conspiracies to monopolize or combine performing rights in musical compositions; to prevent price fixing of performing rights; to regulate the licensing of performing rights and the setting of rates by combinations of copyright owners; to discourage other abuses of copyrights and the copyright owners; to discourage other abuses for violation of this act." Referred to Committee on Business and Industry.

House Bill No. 291, introduced by Judge by request: A bill for an act entitled: "An act to prohibit hospitals from assessing laboratory charges against any hospital patient unless such services are ordered by the patients' personal physician, except that in the event of extreme emergencies any physician may order laboratory services; and to prohibit physicians from ordering "routine laboratory services" for any hospital patient; providing penalties for violations; repealing all acts and parts of acts in conflict therewith; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 292, introduced by Jensen, Smiley, McNamara, Healy, Dye, Rygg, Haines: A bill for an act entitled: "An act to amend Section 40-2821, R. C. M. 1947, by extending the period when the tax on net insurance premiums shall be two and one-quarter per cent (2¼) of such premiums from the calendar years 1963 and 1964 to the calendar years 1965 and 1966." Referred to Committee on Ways and Means.

House Bill No. 293, introduced by Bashor, Schye: A bill for an act entitled: "An act amending Section 4-113 R. C. M. 1947, to require that every

package of liquor sold within the state shall have an official serially numbered seal." Referred to Committee on Business and Industry.

House Bill No. 294, introduced by Bashor, Eskildsen, Schye: A bill for an act entitled: "An act amending Section 4-153, R. C. M. 1947, to require the Liquor Control Board to maintain written records of liquor received for sampling purposes." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 295, introduced by Bashor, Eskildsen, Schye: A bill for an act entitled: "An act abolishing individual liquor permits; amending Sections 4-113, 4-102, 4-112, 4-116, 4-134, 4-136, 4-137, 4-138, 4-139, 4-159, 4-164, 4-201, 4-202, 4-234, 4-501, and 4-502, R.C.M. 1947; and repealing Sections 4-157, 4-162, 4-165, 4-166, 4-168, 4-511, and 4-123 through 4-132, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 296, introduced by Bashor, Eskildsen, Schye: A bill for an act entitled: "An act amending Section 4-407.1, R. C. M. 1947, to change the published notice requirement for liquor license transfers from four to two weeks." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 297, introduced by Bashor, Tooke: A bill for an act entitled: "An act repealing Section 4-108, R. C. M. 1947, to remove the salary limitations for employees of the Liquor Control Board." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 298, introduced by Scherf, Zimmer, Eskildsen: A bill for an act entitled: "An act providing that the Montana Veterans' Home is and shall remain at Columbia Falls; and repealing Section 80-303, R. C. M. 1947." Referred to Committee on State Administration.

House Bill No. 299, introduced by Scherf, Eklund, Schepens, Prevost: A bill for an act entitled: "An act concerning regulation of advertising devices." Referred to Committee on Business and Industry.

House Bill No. 300, introduced by Zimmer, Deschamps, MacCalman, Haines: A bill for an act entitled: "An act to give counties power to give, sell, or trade property to any county, city, town, or political subdivision; and to provide for the purchase thereof by a county without appraisal." Referred to Committee on Affairs of Cities.

House Bill No. 301, introduced by Zimmer, Deschamps, MacCalman, Haines: A bill for an act entitled: "An act to permit cities or towns power to give, sell or trade property to any county, city, town, or political subdivision; and to provide for the purchase thereof, by a city without appraisal." Referred to Committee on Affairs of Cities.

House Bill No. 302, introduced by Rehberg, Woodard: A bill for an act entitled: "An act to amend Section 75-3401, R.C.M. 1947, relating to transportation of public school pupils and providing that trustees may furnish transportation to public school pupils residing within three (3) miles from a public elementary or secondary school and defray costs thereof from sources other than funds of the school district." Referred to Committee on Education.

House Bill No. 303, introduced by Bardanouve, Judge, Eskildsen, Gilfeather, Cerovski, Wayrynen, Sheehy, Nichols, Haines: A bill for an act entitled: "An act providing that offices of certain elective officials shall be vacant when they seek another office; and amending Section 93-219, R. C. M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 304, introduced by Felt, Cerovski: A bill for an act entitled: "An act to provide for the submission to the electors of the State of Montana, for their vote, the question of whether or not there shall be called a constitutional convention pursuant to Article XIX, Section 8 of the Mon-

tana Constitution, for the purpose of revising, altering or amending the constitution of the State of Montana; to provide for ratification by the electors of the State of Montana of the proposed new constitution." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 305, introduced by Judge by request: A bill for an act entitled: "An act amending Section 94-1201 of the Revised Codes of Montana of 1947; to provide shelter where necessary for household pets." Referred to Committee on Livestock and Ranges.

House Bill No. 306, introduced by Wayrynen, Fischer, Judge, Crum, Lombardi, Schye, Jensen, Loman, Pierce, Sullivan, Healy, Sheehy, O'Leary, Tracy, Eskildsen: A bill for an act entitled: "An act amending Section 4-117, R. C. M. 1947, to provide for a ten per cent (10%) reduction to any retail liquor licensee of quantity purchases from Montana state liquor stores and providing exception." Referred to Committee on Business and Industry.

House Bill No. 307, introduced by Shugrue, Lombardi, Tracy, Johnson: A bill for an act entitled: "An act relating to hours of labor in underground works; amending Section 41-1107, Revised Codes of Montana, 1947; providing portal to portal computation of work time; repealing conflicting acts." Referred to Committee on Judiciary.

House Bill No. 308, introduced by Sheehy: A bill for an act entitled: "An act increasing the amount nonprofit or mutual ditch companies may levy for certain purposes from five to ten percent of the amount of capital stock; amending Section 15-702, R. C. M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 309, introduced by Johnson, Lombardi, Tracy, Shugrue, Healy: A bill for an act entitled: "An act amending Section 84-710, R. C. M. 1947, to require that changes in assessments of property or assessed valuation of a class or classes of property by the State Board of Equalization must be predicated upon deliberation among and a majority vote of the State Board of Equalization and a County Commissioner and the County Assessor of the interested county concerned, or a commissioner and assessor selected by them." Referred to Committee on Townships and Counties.

House Bill No. 310, introduced by Gilfeather, Sheehy, Willits, Schepens: A bill for an act entitled: "An act to amend Section 82-3302, R. C. M. 1947, providing that the State Board of Examiners shall be the governing board of the Department of Administration; containing a repealing clause; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 311, introduced by Sheehy, O'Leary, Gerke: A bill for an act entitled: "An act amending Sections 94-3604, 94-3605 and 94-3606, R. C. M. 1947, as amended, regarding the seizure and destruction of obscene matter." Referred to Committee on Judiciary.

House Bill No. 312, introduced by Sheehy, O'Leary, Gerke: A bill for an act entitled: "An act amending the statute on the distribution of obscene literature or material to minors or others, regarding the trial of actions brought under this section and providing penalties for its violation." Referred to Committee on Judiciary.

House Bill No. 313, introduced by Gilligan, Healy, Loman, Tooke, Atkins: A bill for an act entitled: "An act to amend Chapter 24 of Title 66 of the Revised Codes of Montana, 1947, by amending Section 66-2402 relating to licensing of plumbers by adding thereto requirements for licensing journeyman plumbers and master plumbers; and by amending Section 66-2403 relating to the membership of the Board of Plumbing Examiners by adding two members thereto and providing for their appointment by the Governor; and by amending Section 66-2418 by adding thereto provisions establishing a fixture fee to be used for the inspection and enforcement of the state plumbing code and authorizing a state plumbing inspector, and providing

for a penalty for failure to pay the fixture fee established." Referred to Committee on Business and Industry.

House Bill No. 314, introduced by Nutting, Schye, Felt, Mather, Spilde: A bill for an act entitled: "An act to authorize, in certain instances, the Boards of County Commissioners to levy an additional tax of not to exceed ten and one-half (10.5) mills for the county poor funds, providing for an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 315, introduced by O'Hair, Harper: A bill for an act entitled: "An act to govern dispensing of trading stamps by individuals, firms, or other concerns to customers of such individuals, firms, and concerns; designating the duties of trading stamp companies; providing penalties for violations; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 316, introduced by Schepens, Sheehy: A bill for an act entitled: "An act to amend Section 16-3705, R. C. M., 1947, to provide additional qualifications for deputy sheriffs in first class counties; providing tenure for such deputies; providing grounds for discharge of such deputies; providing for appeal procedure; containing a repealing clause and an effective date." Referred to Committee on Townships and Counties.

House Bill No. 317, introduced by Schepens, O'Hair: A bill for an act entitled: "An act to require owners of house trailers to display property tax paid stickers on their house trailers and to require persons transporting house trailers to display property tax paid stickers and to produce property tax paid receipts for state law or weight enforcement officials." Referred to Committee on Highways.

House Bill No. 318, introduced by Holtz, Gunderson, Nefzger: A bill for an act entitled: "An act providing for an embargo against the importation of grain, hay, straw, plants, seeds, tubers, nursery stock or fruit containing noxious weed seeds into the state; and amending Section 16-1708, R. C. M. 1947." Referred to Committee on Agriculture.

House Bill No. 319, introduced by Cerovski, Sheehy: A bill for an act entitled: "An act to amend Section 84-1812(1) of R. C. M. 1947, to allow an annual expenditure of one hundred and ninety-five thousand dollars (\$195,000.00) for the dissemination of public information; specifying qualifications for the employee placed in charge of the dissemination of public information; repealing all acts in conflict herewith; and providing this act shall be in force and effect after its passage and approval." Referred to Committee on Business and Industry.

House Bill No. 320, introduced by Cerovski, Wayrynen: A bill for an act entitled: "An act to amend Section 23-502 of the Revised Codes of Montana, 1947, relating to registry books and registry cards, to provide for the inclusion of political party affiliation; providing for the declaration of political affiliation and voting at primary elections; providing for registering change of political affiliation; providing for the form of affidavit for change of political affiliation; providing for an elector to retain the same registration number as he had prior to this act; to amend Section 23-919 of the Revised Codes of Montana, 1947, relating to arrangement of ballots to conform to the intent of this act; to amend Section 23-1402 of the Revised Codes of Montana, 1947, relating to war registration cards, to provide for the inclusion thereon of the political affiliation; containing a repealing clause and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 321, introduced by Wayrynen, Fischer: A bill for an act entitled: "An act to amend Section 4-318 of the Revised Codes of Montana of 1947, relating to application and issuance of beer wholesalers' licenses, to provide that if an applicant is a Montana corporation which has not been organized for five years it may nonetheless qualify if all its stockholders

have been Montana residents for a period of five years immediately prior to making application; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 322, introduced by Delano, MacCalman: A bill for an act entitled: "An act to amend Section 19-107, R. C. M. 1947, relating to legal holidays and business days, to provide for holidays that fall upon a Saturday." Referred to Committee on Business and Industry.

House Bill No. 323, introduced by Schye, Mather, Broeder, McNamer: A bill for an act entitled: "An act relating to eminent domain proceedings; altering and revising the procedures for determining compensation to be paid defendants and for putting the plaintiff in possession; amending Section 93-9911, R. C. M. 1947, relating to the power of the court and preliminary condemnation order, to strike out matter which refers to assessment of compensation; amending Section 93-9912, R. C. M. 1947, to provide for the use of the district court or judge for making the preliminary assessment of compensation, instead of using value commissioners, and to provide generally for the ascertainment and assessment of compensation, including land taken for underground natural gas storage reservoir; amending Section 93-9915, R. C. M. 1947, to provide the procedure for determining compensation in district court and to provide generally for the rights of the parties; amending Section 93-9920, R. C. M. 1947, to provide the procedure for putting the plaintiff in possession; repealing Section 93-9914, R. C. M. 1947; providing a severability clause; providing an effective date." Referred to Committee on Judiciary.

House Bill No. 324, introduced by Tracy: A bill for an act entitled: "An act to authorize and empower counties, cities, towns, school districts or other municipal subdivisions of the State of Montana, and agencies, departments, offices and divisions of the state government, individually or in combination, to enter into and carry out contracts, agreements and plans with agencies and departments of the United States government and to expend monies to implement and secure the benefits of Public Law 88-452 of the 88th congress, enacted August 20, 1964 (78 Statute 508), known as "The Economic Opportunity Act of 1964." Referred to Committee on Affairs of Cities.

House Bill No. 325, introduced by Schepens, Meccage, Flynn, Jensen, Christiansen, Harper, Eskildsen, Ulmer: A bill for an act entitled: "An act amending the liquor control act of Montana to eliminate the necessity of placing official seals on packages or cases of wine." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 326, introduced by Twedt, Slaby: A bill for an act entitled: "An act to amend Sections 35-128 and 35-129 of the Revised Codes of Montana, 1947, relating to housing authorities; further defining the area of operation of county housing authorities, and clarifying the power of county housing authorities to undertake housing projects and to contract with the federal government upon the approval of the Board of County Commissioners; and to declare an emergency requiring that this act take effect from the date of its passage." Referred to Committee on Townships and Counties.

House Bill No. 327, introduced by O'Hair, Harper: A bill for an act entitled: "An act appropriating \$2,800,000 for a juvenile institution at Livingston; and appropriating \$650,000 to convert the juvenile institution at Miles City to an institution for mentally retarded persons." Referred to Committee on Appropriations.

House Bill No. 328, introduced by Harper, O'Hair: A bill for an act entitled: "An act authorizing the State Department of Public Institutions to establish minimum security facilities for youths who do not have severe adjustment problems; and appropriating \$600,000 for the construction of two youth forest camps in Park county." Referred to Committee on Appropriations.

House Bill No. 329, introduced by Lund, Watt, James, Haines: A bill for an act entitled: "An act providing for changes in foundation program schedules for elementary and secondary schools as provided in Section 1. Section 75-1713.1, R. C. M. 1947, and Section 15. Section 75-4518.1, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 330, introduced by Leuthold, Hanks: A bill for an act entitled: "An act to promote, establish and organize upon a permanent basis in the State of Montana scientific and intensive research in the production, marketing and utilization of wheat grown in Montana; to create in the Department of Agriculture of the State of Montana a division of wheat and marketing research; to define terms used in this act; to declare the public policy of the State of Montana in the field of such research and marketing; designating the powers and duties of such division in the said department and of said department in connection therewith; to create an administrative committee to be known as the Montana Wheat Research and Marketing Committee, and to prescribe its powers and duties; to provide for the making of certain reports by such agencies; levying an excise tax of two and one-half (2½) mills per bushel of wheat on the grower thereof to provide for the expense of such research and the administration and enforcement of this act; to make certain acts and practices unlawful and to provide penalties therefor; to repeal all acts and parts of acts in conflict with this act, and providing that this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Agriculture and Irrigation.

House Bill No. 331, introduced by Tracy, Gunderson, Obstarczyk, McOmber, Harper: A bill for an act entitled: "An act requiring the State Fish and Game Director to furnish monthly financial reports to the Fish and Game Commission and providing that copies of monthly financial reports shall be furnished to any person or group on request; amending Section 26-124, R. C. M. 1947." Referred to Committee on Fish and Game.

House Bill No. 332, introduced by Harper: A bill for an act entitled: "An act prohibiting the levying or collecting of the cigarette taxes authorized by Initiative No. 54, as amended, after retirement of all bonds issued thereunder without the approval of the qualified electors of this state; and to submit to the qualified electors of Montana an amendment to Initiative No. 54, as amended, allowing the proceeds from the taxes authorized therein to be used for the construction and remodeling of state buildings." Referred to Committee on Ways and Means.

House Bill No. 333, introduced by Harper, Eskildsen, Nefzger, O'Hair, Lombardi, Flynn, Aasheim, Twedt, Judge, Tracy, Schepens, Laas: A bill for an act entitled: "An act to Amend Section 77-1001, Revised Codes of Montana, 1947, relating to membership of Veterans Welfare Commission by reducing the membership from 5 to 4, and changing the qualifications for appointment thereto." Referred to Committee on State Administration.

House Bill No. 334, introduced by Rygg, Pierce, Dye: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Montana Constitution permitting the Legislative Assembly to exempt from property taxation motor vehicles." Referred to Committee on Ways and Means.

House Bill No. 335, introduced by Rygg, Pierce, Dye: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Montana Constitution excepting from the provisions of Article 12, Section 1b, taxes for license fees imposed in lieu of taxes on motor vehicles." Referred to Committee on Ways and Means.

House Bill No. 336, introduced by Haines: A bill for an act entitled: "An act amending Section 16-1713, R.C.M. 1947, relating to mileage and per diem of weed control and weed seed extermination supervisors." Referred to Committee on Agriculture and Irrigation.

House Bill No. 337, introduced by McNamara, O'Leary: A bill for an act entitled: "An act to amend Section 92-611, Revised Codes of Montana of 1947, relating to the supervision of hospital charges under the workmen's compensation act by the Industrial Accident Board; repealing all acts or parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 338, introduced by Deschamps: A bill for an act entitled: "An act providing for the organization, regulation and taxation of medical service corporations and hospital service corporations under the Montana insurance code; placing such corporations under the administrative regulation of the State Insurance Commissioner; and repealing Section 40-2611, R. C. M. 1947." Referred to Committee on Business and Industry.

House Bill No. 339, introduced by McNamara, Judge: A bill for an act entitled: "An act authorizing county, city-county, and district boards of health to offer out-patient nursing care in a sick-at-home program, charge fees for services and tests which may be required, provided such services and tests are given under the supervision of a physician; providing for a special fund; providing for the acceptance of any federal or state funds which may be made available; providing a repealing clause, and an effective date." Referred to Committee on Business and Industry.

House Bill No. 340, introduced by McNamara, Nefzger, Atkins, Meccage, Sullivan, Christiansen: A bill for an act entitled: "An act amending Sections 92-104 and 92-108, R. C. M. 1947, to change the composition of the Industrial Accident Board and prohibit additional compensation to the Insurance Commissioner." Referred to Committee on Labor and Compensation.

House Bill No. 341, introduced by McNamara, Meccage, Sullivan: A bill for an act entitled: "An act amending Section 40-2713, R.C.M. 1947, to require examination by the Commissioner of Insurance of the State of Montana of the administration of compensation plan number three by the Industrial Accident Board." Referred to Committee on Labor and Compensation.

January 23, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Joint Resolution No. 11.

HARPER, Chairman

January 23, 1965

I have examined House Joint Resolution No. 11 introduced by me and find the same to be correct.

ESKILDSEN, Chairman.

The Speaker signed House Joint Resolution No. 11 in open session, the title having first been read.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Tracy of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Business under Second Reading, recommend the following:

That House Bill No. 100 be amended in Section 3 by inserting in line 8, page 5, of the printed bill, by inserting in line 30, page 4, of the original bill

between the word "semitrailers" and the word "and", the words "or automobile accessories,"

And, as so amended, do pass.

That House Bill No. 97 do pass.

That House Bill No. 75 do pass.

That House Joint Resolution No. 12 do pass.

That House Bill No. 38 do pass.

That House Bill No. 49 do pass.

TRACY, Chairman.

Motion was made by Tracy for adoption of the Committee report. Substitute motion was made by Aasheim that House Bill No. 100 be segregated from the Committee of the Whole report. Substitute motion was lost. Division having been called for the substitute motion failed by the following vote: Ayes—32; Noes—52.

Substitute motion was made by Gilfeather that House Bill No. 38 be segregated from the Committee of the Whole report. Substitute motion carried. Report adopted as amended.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 73 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Mather, Selstad. Total 2.

Absent or not voting: Raundal. Total 1.

Excused: Brenner, Bashor, Broeder, Haines, Nichols, Rehberg, Schepens, Spilde. Total 8.

House Bill No. 87 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Cerovski, Cregg, Crum, Cummings, Delano, Dye, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Rygg, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Woodard, Mr. Speaker. Total 68.

Noes: Deschamps, East, Egan, Falkenstern, Harper, Jenkins, MacCalman, Nefzger, Prevost, Sartz, Smith, Williams. Total 12.

Paired: Raundal, no; Christiansen, aye. Boughton, no; Casey, aye.

Absent or not voting: Willits, Zimmer. Total 2.

Excused: Brenner, Bashor, Broeder, Haines, Nichols, Rehberg, Schepens, Spilde. Total 8.

Motion was made by Cerovski, and carried, that the House recess until 2:00 p. m. this day.

House recessed.

AFTERNOON SESSION

House resumed. Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

January 23, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed. House Joint Resolution No. 12, House Bills Nos. 49, 75, 97 and 100.

JAMES, Vice-Chairman

January 22, 1965

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 95, respectfully report as follows: That House Bill No. 95 do pass.

AASHEIM, Chairman

Report adopted.

January 22, 1965

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 do pass.

TWEDT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 132, respectfully report as follows: The House Bill No. 132 do pass.

TWEDT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 do pass.

TWEDT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 do not pass.

HEALY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 do not pass.

HEALY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 be amended as follows:

Underscore the words "Class Nine" on line 20, page 4 of the original bill;

Underscore the figures "(100%)" on line 28, page 4 of the original bill;

Underscore the figures "(20%)" on line 29, page 4 of the original bill;

Underscore the figures "(33 1/3)" on line 30, page 4 of the original bill;

Underscore the figures "(30%)" on line 32, page 4 of the original bill;

Underscore the figures "(7%)" on line 1, page 5 of the original bill;

Underscore the figures "(40%)" on line 2, page 5 of the original bill;

Underscore the figures "(7%)" on line 3, page 5 of the original bill;

Underscore the figures "(15%)" on line 4, page 5 of the original bill;

Underscore the word and figure "Class 9." on line 5, page 5 of the original bill.

And as amended, do pass.

HEALY, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do not pass.

HEALY, Chairman

Motion was made by Healy for adoption of the committee report. Substitute motion was made by Jensen that House Bill No. 143 be printed and placed on second reading. Motion was made by Felt that a roll call vote be taken, with the results thereof to be spread on the Journal. Lucas requested a Call of the House. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Lucas moved that the Call of the House be dispensed with. Motion carried.

Roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Asbjornson, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nutting, Pierce, Rygg, Schye, Selstad, Smith, Ulmer, Williams, Woodard. Total 29.

Noes: Aasheim, Atkins, Bardanouve, Cerovski, Christiansen, Cregg, Cummings, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hanks, Harper, Healy, Holtz, Johnson, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, O'Hair, O'Leary, Prevost, Raundal, Sartz, Scherf, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Watt, Willits, Zimmer, Mr. Speaker. Total 44.

Absent or not voting: Bailey, Bollinger, Hall, Obstarczyk, Smiley, Swanz, Tooke, Wayrynen. Total 8.

Excused: Bashor, Boughton, Brenner, Broeder, Deschamps, Fischer, Haines, Judge, Nichols, Rehberg, Schepens, Sheehy, Spilde. Total 13.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House pass consideration of business under Second Reading until Monday. Motion carried.

The following House Joint Resolutions were introduced, read first time, and referred to Committees:

House Joint Resolution No. 24, introduced by Judge, Gill, Loman, Bardanouve: A Joint Resolution of the Senate and House of Representatives

requesting that the Legislative Council conduct a study of present recreation facilities, future needs, and the economic importance of recreation in Montana. Referred to Committee on State Administration.

House Joint Resolution No. 25, introduced by Judge, Lewis: A Joint Resolution of the Senate and House of Representatives requesting the Federal Government to construct an air facility near Glacier National Park which would be capable of accommodating the modern type of aircraft. Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 7, introduced by Wayrynen, Cerovski, Judge, Delano, Schye, Twedt: Concerning an electric sound system and voting machine for the Senate. Read at length. Referred to Committee on Legislative Administration.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriation measures at length, and referred to Committees:

House Bill No. 342, introduced by McOmber: A bill for an act entitled: "An act regulating automobile graveyards; amending Section 11-918, R. C. M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 343, introduced by Zimmer, Flynn: A bill for an act entitled: "An act amending Section 69-3503 R.C.M. 1947, to require that every motorboat or vessel on the waters of this state propelled by machinery of more than five horsepower shall be numbered." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 344, introduced by Zimmer, Atkins: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 2, Article V of the Constitution of Montana to provide that the term of office of members of the Montana House of Representatives shall be four years, except for members of the 1967 House of Representatives, one-half of whom shall hold office for two years and one-half of whom shall hold office for four years." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 345, introduced by Selstad: A bill for an act entitled: "An act to require that those buildings and facilities, constructed in the state by the use of state, county or municipal funds, shall adhere to the principles prescribed by this act in order to make these buildings and facilities accessible to, and usable by, the physically handicapped." Referred to Committee on State Administration.

House Bill No. 346, introduced by Aasheim, Gilfeather, Twedt: A bill for an act entitled: "An act to provide expanded opportunities in vocational education including technical education; creating a state board for vocational education; providing for membership, powers, and duties of such board; providing for duties of the State Superintendent of Public Instruction; providing for acceptance of acts of Congress relating to vocational education; providing for apportionment of federal funds; providing for duties of the State Treasurer; appropriating moneys to carry out the purposes of this act; amending Sections 75-4241, 75-4242, 75-4243, 75-4244, 75-4246, 75-4247, and 75-4302, R. C. M., 1947; repealing Section 75-4245, R. C. M., 1947; and providing for an effective date." Referred to Committee on Education.

House Bill No. 347, introduced by Hanks, Leuthold: A bill for an act entitled: "An act requiring the registration of all civil aircraft operating within the State of Montana with certain exceptions; establishing the amount of the registration fees and the time and place of payment; providing that payment of registration fees shall be in lieu of all property tax on civil aircraft; providing for the registration of civil aircraft by the Montana Aeronautics Commission, for the issuance of a certificate of registration and duplicate registration certificates and requiring that aircraft carry the cer-

tificate of registration at all times in a conspicuous position; providing for the expiration and renewal of registration and for the report of registration to county assessors; providing for transfer of registration certificates; providing for the disposition of moneys received for registration of aircraft; repealing all acts and parts of acts in conflict herewith, and prescribing an effective date of the act." Referred to Committee on State Administration.

House Bill No. 348, introduced by Stranahan, Deschamps, Schye: A bill for an act entitled: "An act to provide a charge of fifty (50) cents per page for copies of income tax returns or corporation license tax returns and a charge of one dollar (\$1.00) for issuance of a certificate of good standing." Referred to Committee on Ways and Means.

House Bill No. 349, introduced by Selstad, Gunderson: A bill for an act entitled: "An act removing the limitation of two additional trustees to be added in third class schools districts when membership on the board of trustees is increased; and amending Section 75-4601, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 350, introduced by Loman, Sheehy, Jensen, Bailey, Christiansen: A bill for an act entitled: "An act to institute and maintain in the Board of Health a regulatory program for sources of ionizing radiation; to provide for compatibility with the standards and regulatory provisions of the federal government a single effective system of regulation; providing for the licensing and registration of persons handling radioactive materials or equipment using such materials; setting forth penalties for non-compliance; providing a repealing clause." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 351, introduced by Rehberg, Crum, Pierce: A bill for an act entitled: "An act to amend Chapter 12 of Title 23, Revised Codes of Montana, 1947, by adding thereto a new section providing for the conduct of elections under the provisions of Sections 16-2202, 84-4706, 75-4505, 75-1723, 75-3801, and 75-3913, Revised Codes of Montana 1947, and all other laws relative to elections concerning the issuance of bonds or debentures or the increasing of tax levies or the creation of debts, providing for the qualifications of voters at such elections, providing for the form of ballots at such elections, providing that a majority of the taxpayers and a majority of the real estate taxpayers must vote for such measures in order to adopt and approve the same; to amend Chapter 3 of Title 23, Revised Codes of Montana 1947, by adding thereto a new section providing for the qualification of electors in elections involving bonds, debentures, debts and tax levies; to amend Section 23-304, Revised Codes of Montana 1947, to provide for listing of taxpayers and real estate taxpayers on the poll books; to amend Sections 16-2202, 75-3804, 84-4706, 75-3913, 75-1723 and 75-4505, Revised Codes of Montana, 1947, to provide for the manner of conducting elections; repealing Sections 16-2203, 84-4707, 84-4708, 84-4709, 84-4710, 75-3911, 75-3912, all dealing with elections on bond or debenture issues and tax levies, repealing all acts and parts of acts in conflict herewith, and providing an effective date for this act." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 352, introduced by Pierce: A bill for an act entitled: "An act to amend Section 53-618 to eliminate reference to Section 53-114 and substitute therefor a reference to Section 53-615." Referred to Committee on Highways.

House Bill No. 353, introduced by Rehberg, Gerke, Woodard, Leuthold, O'Leary, Sheehy, Nichols, Crum, Pierce: A bill for an act entitled: "An act known as the Montana air pollution control act; declaring policy; defining terms; creating an air pollution control commission and providing for its organization, terms of members, compensation and expenses, fixing the duties and powers of said commission; providing for a study of air pollution and adoption of rules and regulations for the prevention and control thereof; providing for enforcement thereof and prohibition of violations of the act or rules and regulations adopted thereunder; providing for hearings

and notices by the commission; providing for appeals from determinations by the commission; providing for creation, organization, powers and duties of county air pollution control divisions; providing for investigation of violations of act and rules and regulations thereunder; making the State Board of Health responsible for investigations and providing for its powers; authorizing the State Board of Health to cooperate with the commission in conducting and supervising research programs and requiring certain persons to file reports with the board containing information relative to air pollution; providing for appeals to the district courts and trial de novo; providing for appeals to the supreme court; repealing laws or parts of laws in conflict therewith; and providing a severability clause." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 354, introduced by Eskildsen, Nichols, Flynn: A bill for an act entitled: "An act to amend Section 82-3319, R. C. M. 1947, to provide that the State Controller shall appoint any architect or consulting engineer for work on any state buildings to be constructed, remodeled, or renovated, subject to approval by the State Board of Examiners, and containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 355, introduced by Smiley, Dye, Nelson, Eklund, Cummings, Schepens, O'Hair, Ulmer: A bill for an act entitled: "An act relating to taxation of irrigation and drainage facilities." Referred to Committee on Agriculture and Irrigation.

House Bill No. 356, introduced by Johnson, Shugrue, Tracy, Lombardi, Slaby, Gilligan: A bill for an act entitled: "An act relating to the payment of compensation for injury causing death under the workmen's compensation act; providing for the payment of compensation where the decedent leaves no major or minor dependents; and amending Section 92-704, R. C. M. 1947." Referred to Committee on Labor and Compensation.

House Bill No. 357, introduced by Gilfeather, Hall: A bill for an act entitled: "An act to amend Section 10-524, Revised Codes of Montana, 1947, relating to the circumstances under which the state will help aid dependent and neglected children by including state payments for children in licensed private institutions; and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 358, introduced by Gilfeather, Sheehy, Slaby, Holtz: A bill for an act entitled: "An act regrouping property into seven classes for taxation and specifying the taxable rate for each; amending Sections 84-301 and 84-302, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 359, introduced by Eskildsen, Nichols: A bill for an act entitled: "An act relating to the payment of extra services and the schedule for payments to architects; providing for a reduction of compensation where actual supervision is not done; and declaring that by acceptance of the contract the architect shall be deemed to have agreed that the final cost of construction of a public building, work or improvement will not exceed the authorized amount therefor, and will save the State of Montana, or any agency thereof, or any county, city, or school district in the state harmless from any excess costs after the award of the contract." Referred to Committee on State Administration.

House Bill No. 360, introduced by Rygg by request: A bill for an act entitled: "An act requiring every person, firm or corporation in this state proposing to erect any building or other structure, to obtain a permit from the Board of County Commissioners of the county in which the building or other structure is to be erected." Referred to Committee on Townships and Counties.

House Bill No. 361, introduced by Johnson, Cregg, Jenkins, Bardanouve: A Bill for an act entitled: "An act relating to industrial development; to define terms; to provide for the acquisition, purchase, construction, reconstruction, improvement, betterment, and extension of industrial development

by cities, towns, and counties for the prescribed uses and purposes; to authorize and regulate the issuance of mortgages and revenue bonds for financing such industrial development as prescribed; to provide for payment of such mortgages and bonds; to provide for leasing of property; and to provide for payment of taxes." Referred to Committee on Affairs of Cities.

House Bill No. 362, introduced by Hall: A bill for an act entitled: "An act to amend Section 80-1302(4), Revised Codes of Montana, 1947, relating to definitions and to provide that people eligible to be treated at the Montana Center for the Aged shall be considered patients therein even though unable to be admitted because of overcrowded conditions and to repeal Section 80-1304 (4) and (5); Revised Codes of Montana, 1947, which have been declared unconstitutional; and to repeal all acts in conflict therewith." Referred to Committee on State Administration.

House Bill No. 363, introduced by Hall: A bill for an act entitled: "An act to amend Section 40-3906 (4), Revised Codes of Montana, 1947, relating to life insurance of debtor groups and removing the limitation of ten thousand dollars contained in said section and providing that the amount of life insurance shall be limited to the amount owed by the debtor to the creditor, and to repeal all acts in conflict therewith." Referred to Committee on Judiciary.

House Bill No. 364, introduced by Tracy, Sheehy, O'Leary, Gilligan: A bill for an act entitled: "An act relating to safety and mine inspections; amending Section 92-1206, Revised Codes of Montana, 1947; providing for election of State Inspector of Mines; establishing powers, duties and term of such office; providing salary and bond; providing for first and subsequent elections; repealing conflicting acts." Referred to Committee on State Administration.

House Bill No. 365, introduced by Gilligan, Hall, Holtz, Gunderson, Gilfeather, Haines: A bill for an act entitled: "An act providing for filing a party designation to be a requirement to vote in primary elections; amending Sections 23-502, 23-919, and 23-1403, R. C. M. 1947, to effect this purpose." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 366, introduced by Fischer, O'Hair, Pierce: A bill for an act entitled: "An act to amend Section 32-1127, R.C.M. 1947, as amended by Section 5, Chapter 243, Laws of 1961 by providing for a permit description of the powered or towing vehicle in place of the permit description of the vehicle or load to be operated or moved." Referred to Committee on Highways.

House Bill No. 367, introduced by Bardanouve, Deschamps, Twedt, Schepens, Aasheim, Harper: A bill for an act entitled: "An act requiring the disclosure of finance charges in connection with extensions of credit." Referred to Committee on Business and Industry.

House Bill No. 368, introduced by Crum, Rehberg, Pierce, Woodard, McNamer: A bill for an act entitled: "An act permitting the investment of interest and sinking fund moneys of special improvement districts." Referred to Committee on Ways and Means.

House Bill No. 369, introduced by Crum, Fischer, Selstad, Smiley, Lombardi, Nichols: A bill for an act entitled: "An act defining regulating and controlling motor vehicle dismantlers and licensing of motor vehicle dismantlers; regulating the storage, dismantling and burning of junked motor vehicles; providing safety regulations; providing for marking of titles to junked automobiles; regulating dismantling of motor vehicles by other than an authorized dismantler; providing for removal and dismantling of abandoned motor vehicles; and providing penalties for violation of this act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 370, introduced by Gilligan, Holtz, Mather, Haines, O'Leary, Willits: A bill for an act entitled: "An act defining 'automobile junkyards', and declaring 'automobile junkyards and automobile graveyards'

to be unsafe, unhealthy and a public nuisance and providing for the regulation and control by municipal and county officials by means of a non-transferable permit to operate and maintain the same, issued after public notice and hearing, and subject to certain limitations." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 371, introduced by Twedt, Hanks, Slaby: A bill for an act entitled: "An act concerning tax levies for city and county emergencies." Referred to Committee on Townships and Counties.

House Bill No. 372, introduced by Delano, Bailey, Fischer: A bill for an act entitled: "An act declaring public policy relative to and providing for the construction, development, maintenance, control and operation of private fish ponds, for fee fishing and for the commercial propagation and sale of game fish in the State of Montana; providing for the protection of game fish in public waters effected thereby; establishing a system of licenses; vesting in the Fish and Game Commission proper rule making power for carrying out the purposes of the act; providing a penalty for the violation thereof; and repealing Section 26-306, R. C. M. 1947, and all other acts or parts of acts in conflict herewith, and fixing the effective date upon passage and approval." Referred to Committee on Fish and Game.

House Bill No. 373, introduced by Casey, Lund, McDonald, Williams, Leuthold: A bill for an act entitled: "An act changing the time for filing of candidates for second and third class district school boards from five to twenty days preceding the election; amending Section 75-1604, R. C. M. 1947." Referred to Committee on Education.

House Bill No. 374, introduced by Sheehy, McNamer: A bill for an act entitled: "An act amending Section 81-803, R. C. M. 1947, to provide for an exemption from filing plats when applying for easements on state lands for pipelines and to provide for consent of a purchaser under a sales contract." Referred to Committee on Judiciary.

House Bill No. 375, introduced by Shugrue, Tracy, Healy, Lombardi: A bill for an act entitled: "An act amending Section 75-4243, R. C. M. 1947; providing for the creation of a vocational education board composed of seven (7) members; providing for the appointment of members to the board, and transferring the duties of the State Board of Education to the Vocational Education Board." Referred to Committee on Education.

House Bill No. 376, introduced by Johnson: A bill for an act entitled: "An act changing the eligibility requirements for aid to persons having sili-cosis; and amending Section 71-1003, R. C. M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 377, introduced by Felt: A bill for an act entitled: "An act providing basis for computation of corporation license tax; providing for filing corporate license tax return; amending Section 84-1504, R. C. M. 1947." Referred to Committee on Ways and Means.

House Bill No. 378, introduced by Felt: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 8, Article XVI of the Constitution of Montana to provide that the Legislature may consolidate all counties within a state legislative or senatorial district into one county." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 379, introduced by McNamer, Felt, Lucas, Jensen, Smiley: A bill for an act entitled: "An act to provide that the Boards of County Commissioners who have completed the classifications and appraisals required by Sections 84-429.7 to 84-429.13, inclusive, Revised Codes of Montana, 1947, immediately assess local taxable property in accordance with the appraisals and classes so determined; providing that the Board of County Commissioners must certify their actions in relation to said classification and appraisal to the State Board of Equalization; providing that each County Assessor must base his assessment of all lands, city and town lots and all

improvements in his county for the year 1966 on such classification and appraisal made by the Board of County Commissioners; providing that the County Assessors must certify their action relative to such classification and appraisal to the State Board of Equalization; providing that the Boards of County Commissioners who have not done so, must complete the classification and appraisals required in Sections 84-429.7 to 84-429.13, inclusive, Revised Codes of Montana, 1947, by December 31, 1965, and shall deliver the same to the County Assessor; providing for a reduction in state school equalization funds for those counties who shall fail to comply; providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 380, introduced by McNamer, Felt, Lucas, Jensen, Smiley: A bill for an act entitled: "An act providing for surveys to determine total true valuation of all locally assessable property; sample appraisals and sale prices as guides for determination; access to records of county assessors and opportunity to examine and discuss appraisals; annual estimates of changes in full cash value of locally assessable property, and bases for estimate; transmission of determination to county assessors; final action in equalizing assessments for local tax rolls; hearings on adjustments of assessable values; final statement as prima facie evidence of regularity of proceedings; manner of equalization of assessments of taxable property in counties; city, town, and county adjustment necessitated by increase or decrease in valuation of property on local tax rolls; extension of time for performance of act, and limitation of extensions; providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 381, introduced by McNamer, Felt, Lucas, Jensen, Smiley: A bill for an act entitled: "An act empowering the State Board of Equalization to furnish to the State Board of Education annual statements showing true values and assessments for each of the counties; amending Chapter 36, Title 75, Revised Codes of Montana, 1947, by adding a new section thereto providing that the total amount apportionable from the state public school equalization fund to the school districts of each county shall be equalized according to the percentage by which the state ratio of assessments to true value exceeds the county ratio of assessments to true value, or the county ratio of assessments to true value exceeds the state ratio; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 382, introduced by McNamer, Felt, Lucas, Jensen, Smiley: A bill for an act entitled: "An act authorizing the State Board of Equalization, commencing in 1966, to determine true values and assessments for each of the counties and to determine county ratio and state ratio of assessments to true value; providing that the State Board of Equalization shall certify the percentage by which the state ratio exceeds the county ratio in any county entitled to net proceeds assessments, or to apportionment of railroad, airline, utility and other assessments made by the state board; providing that the County Treasurer in such county in which the county ratio is less than the state ratio shall compute the taxes collected from mill levies on net proceeds assessments and on apportionment of railroad, airline, utility and other assessments made by the state board and shall remit to State Treasurer for the state public school equalization fund that percentage of such tax collection by which the state ratio exceeds the county ratio." Referred to Committee on Judiciary.

House Bill No. 383, introduced by Gilfeather, Sheehy, Willits, Hall, Felt, Twedt: A bill for an act entitled: "An act to provide for civil rights; defining terms; and providing for a penalty for violations; and an effective date." Referred to Committee on Judiciary.

House Bill No. 384, introduced by Rehberg, Sheehy, Tooke, O'Leary, Delano: A bill for an act entitled: "A bill to authorize the issuance of operating licenses or permits for privately owned and operated shooting preserves by the Montana Fish and Game Commission and fixing fees for license or permit; providing for the release of artificially propagated game

and the taking of the same on privately owned and operating shooting preserves; providing for the fixing of shooting seasons on the same; providing for the maintenance of records by operators thereof; providing for the revocation of licenses or permits for privately owned and operated shooting preserves; and providing a repealing clause." Referred to Committee on Fish and Game.

House Bill No. 385, introduced by Felt: A bill for an act entitled: "An act providing that in civil actions for damages to a motor vehicle, where the claimed damages do not exceed the sum of five hundred dollars (\$500.00), the court shall allow to the plaintiff, if he shall obtain a judgment, a reasonable attorney's fee and his costs in the action." Referred to Committee on Judiciary.

House Bill No. 386, introduced by Bardanoue, Sheehy: A bill for an act entitled: "An act to provide a rebuttable presumption that possession of recently stolen property shall be deemed prima facie evidence of guilt or larceny." Referred to Committee on Judiciary.

House Bill No. 387, introduced by Twedt, Nefzger, Meccage, Prevost, Stranahan: A bill for an act entitled: "An act to amend Section 82-1519, R.C.M. 1947, by changing the provision pertaining to the salary of the chairman of the State Board of Hail Insurance; and containing an effective date." Referred to Committee on State Administration.

House Bill No. 388, introduced by Judge, Bardanoue: A bill for an act entitled: "An act abolishing the office of State Engineer and vesting the duties of that office in an engineer appointed by the water conservation board; abolishing the Carey Land Act Board and transferring any remaining properties and duties of that board to the Water Conservation Board; amending sections 81-2007, 81-2008, 81-2009 and 81-2101, R.C.M. 1947; and repealing sections 81-2001, 81-2002, 81-2003, 81-2004, 81-2005, 81-2006, 81-2010, 81-2012, 81-2013, 81-2015, 81-2017, 81-2102 through 81-2121, 81-2123 and 81-2125 through 81-2130, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 389, introduced by Smiley, Hall, Dye, Eskildsen, Cervoski: A bill for an act entitled: "An act to amend Section 32-2170, R.C.M. 1947, relating to right of way of vehicles at intersections not controlled by sign or signals; by eliminating the provision which grants right of way to first vehicle which has entered intersection; requiring vehicles approaching intersection to yield to vehicle on right; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways.

House Bill No. 390, introduced by Laas, Fischer: A bill for an act entitled: "An act providing for the method of establishment of original schedules of railroad rates and classifications; providing for the method of giving notice thereof; providing for the method of changing or revising any railroad rate, fare, charge, classification, schedule, or rule or service; providing the procedures to be followed in filing and investigating complaints against railroad rates, fares, charges, or classifications; providing for discretionary suspension of railroad rates, fares, charges, classifications, schedules, or rules of service under certain circumstances; providing that railroads affected by the provisions of this act shall display its rates and classifications and providing a penalty for non-compliance; and repealing sections 72-117 and 72-118, Revised Codes of Montana, 1947." Referred to Committee on Business and Industry.

House Bill No. 391, introduced by Loman: A bill for an act entitled: "An act setting state party organization meetings in odd numbered years; amending section 23-932, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 392, introduced by Delano: A bill for an act entitled: "An act to amend Section 26-320 Revised Codes of Montana, 1947, to require the State Fish and Game Commission to place all of the state of

Montana in the Pacific flyway for the hunting of migratory game birds, unless the United States Department of Interior specifically orders otherwise; and repealing all acts in conflict with this act." Referred to Committee on Fish and Game.

House Bill No. 393, introduced by Hall: A bill for an act entitled: "An act to amend Section 93-5813, R.C.M. 1947, by providing that one television set shall be exempt from execution; providing an effective date for this act." Referred to Committee on Ways and Means.

House Bill No. 394, introduced by Hall: A bill for an act entitled: "An act to amend Section 21-138, R.C.M. 1947, by providing that in an action for divorce the court or judge may provide for the education of the children of the marriage until the male and female children have reached the age of twenty-one years." Referred to Committee on Judiciary.

House Bill No. 395, introduced by Judge, by request: A bill for an act entitled: "An act to provide for public safety; providing that ambulances shall have a qualified first aid man on calls; defining terms; providing for enforcement by State Highway Patrol Board; repealing conflicting acts." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 396, introduced by Hall: A bill for an act entitled: "An act to amend Section 45-502, R.C.M. 1947, relating to mechanic's liens by providing that no lien shall be filed until thirty (30) days after notice of intent to claim a lien has been served upon the owner or occupant of the real property; providing the contents of the notice; providing that a lien may be filed within one hundred twenty days after material is furnished, mechanical work or labor is performed." Referred to Committee on Judiciary.

House Bill No. 397, introduced by Hall: A bill for an act entitled: "An act to amend section 33-124, R.C.M. 1947, by increasing the value of the homestead from two thousand five hundred dollars to fifteen thousand dollars; providing for an effective date for this act." Referred to Committee on Ways and Means.

House Bill No. 398, introduced by Hall: A bill for an act entitled: "An act to amend Section 45-1106, R.C.M. 1947, relating to agister liens by providing that notice to prior lien holders shall be given within thirty (30) days after receiving the property; to amend Section 45-1108, R.C.M. 1947, by providing that the sale of personal property by an agister's lien may be made forty-five (45) days after failure to pay for the work, labor, feed, or services, or materials are furnished." Referred to Committee on Judiciary.

House Bill No. 399, introduced by Gilfeather, Hall: A bill for an act entitled: "An act to amend section 71-304 R.C.M. 1947, to provide that the state must pay for transportation of stranded transient families to their state of legal residence." Referred to Committee on State Administration.

House Bill No. 400, introduced by Sullivan, Lombardi, Crum: A bill for an act entitled: "An act amending section 4-322, R.C.M. 1947, to prohibit the sale of draft beer, by wholesalers, to any person other than an on-premises beer licensee; and providing an effective date." Referred to Committee on Business and Industry.

The Chief Clerk requested that the House revert to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

January 23, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Joint Resolution No. 11 do hereby report that said bills, together

with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:55 o'clock, a.m., delivered to the Governor for his approval.

HARPER, Chairman

Motion was made, and carried, that the House recess until 7:30 p.m. this day.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

The following House Joint Resolutions were read first time and referred to committees:

House Joint Resolution No. 26, introduced by Loman, Harper, James, Egan: A Joint Resolution of the Senate and House of Representatives opposing nationalization or socialization of privately-owned and operated railroads and urging action by Congress and the President of the United States to prevent state ownership and operation of the railroad industry. Referred to Committee on Business and Industry.

House Joint Resolution No. 27, introduced by Willits, Zimmer, Egan, Gilligan, McDonald, Gunderson, Holtz, Rygg, Delano, Gilfeather, Hall: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the United States and Congressional Delegation of Montana to consider setting up a federal disaster insurance program. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 28, introduced by Willits, Zimmer, Egan, McOmber, Gilligan, McDonald, Gunderson, Holtz, Rygg, Delano, Gilfeather, Hall: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the President of the United States of America, Department of Interior, Bureau of Reclamation, United States Corps of Engineers, Congressional Delegation of Montana and the Congress of the United States, requesting immediate action on a program for flood protection in Montana. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 29, introduced by Hall: A Joint Resolution of the Senate and House of Representatives of the Legislative Assembly of the State of Montana requesting that the Legislative Council conduct a study of the laws relating to the use of voting machines in municipal elections with a view to suggesting amendments to the laws in connection therewith and to report thereon to the Fortieth Legislative Assembly. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 30, introduced by Harper, Eskildsen: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Governor of the State of Montana and to the Supreme Court of the State of Montana. Referred to Committee on State Administration.

House Joint Resolution No. 31, introduced by Felt, James, Smiley, Garrison, Stranahan: A Joint Resolution of the House of Representatives and the Senate of the State of Montana to the United States Congress and to the President of the United States asking that Congress immediately enact legislation recognizing the supremacy of state water laws. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 32, introduced by Felt, James, Smiley, Garrison, Stranahan: A Joint Resolution of the House of Representatives and the Senate of the State of Montana to the Congress of the United States and to the President of the United States declaring that the waters of the State of Montana are reserved by the State of Montana for appropriation, use and development by its citizens. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 33, introduced by Gerke, Mather: A Resolution of the Senate and House of Representatives requesting the Legislative Council to conduct a study of the problems of municipalities and possible solutions. Referred to Committee on Affairs of Cities.

House Joint Resolution No. 34, introduced by Slaby, Johnson, Gilligan, Willits: A Joint Resolution of the House of Representatives and the Senate of the State of Montana calling for speedy enactment by the United States Congress, of an amendment to the Taft-Hartley Act to abolish that provision of said act dealing with right to work laws. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 35, introduced by Slaby, Gilligan, Atkins, Flynn: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting the Legislative Council to conduct a study of the State Department of Labor in specified areas. Referred to Committee on Labor and Compensation.

House Joint Resolution No. 36, introduced by Bardanouve: A Joint Resolution of the Senate and House of Representatives requesting that the Legislative Council study present state printing and duplicating procedures and submit a written report of their findings to the Fortieth Legislative Assembly. Referred to Committee on Legislative Administration.

House Joint Resolution No. 37, introduced by Hall, McDonald, Gilligan, Gunderson, McOmber, Holtz, Willits, Gilfeather: A Joint Resolution of the Senate and House of Representatives of the Legislative Assembly of the State of Montana calling to the attention of the Bureau of Public Roads and of the Montana State Highway Commission to the duty of such agencies to locate highways in a manner compatible with the greatest public good and the least private injury, and directing and requesting that such agencies locate, operate, and maintain the highways in the State of Montana in conformity with that duty. Referred to Committee on Highways.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriation measures at length, and referred to committees:

House Bill No. 401, introduced by Ulmer, Sheehy: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Section 5, Article XVI of the Constitution of Montana deleting the provision forbidding a County Treasurer to be eligible to his office for the succeeding term." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 402, introduced by Flynn, Schye: A bill for an act entitled: "An act to amend section 82-3318, R.C.M. 1947, to provide for the appointment of a three-member advisory council consisting of a licensed architect, a licensed general building contractor, and a consulting engineer to assist and advise the State Controller; providing for regular meetings of such council; providing for per diem and travel expenses for the members of such advisory council; and containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 403, introduced by Johnson, Gilligan: A bill for an act entitled: "An act establishing a license tax on water conducted out of the county of its source and used in another county in the smelting, refining

or reduction of mineral ores; providing for annual reports from persons, firms, corporations or associations so conducting water for such use, verification and compilation thereof by County Assessors; providing for a hearing before the Board of County Commissioners; and providing for collections and distribution of moneys." Referred to Committee on Ways and Means.

House Bill No. 404, introduced by Johnson, Gunderson, Tracy, Harper: A bill for an act entitled: "An act providing for the election of Fish and Game Commissioners, one from each of five commissioner districts, on a nonpartisan basis; amending sections 26-101, 26-102, 23-1111, 23-1812, 23-1608, 23-2006 through 23-2012, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 405, introduced by Swanz, Mather, Judge, McNamara, Pierce: A bill for an act entitled: "An act to amend section 66-1315 R.C.M. 1947, to specify procedures to be followed when prosecuting a violation of the act regulating the practice of optometry." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 406, introduced by Tracy, Lombardi, Shugrue, Healy: A bill for an act entitled: "An act to amend section 26-202.1, R.C.M. 1947, by setting the fee for nonresident big game licenses at two hundred dollars (\$200.00)." Referred to Committee on Fish and Game.

House Bill No. 407, introduced by Tracy, Johnson, Twedt, Atkins, Lombardi, Shugrue: A bill for an act entitled: "An act relating to payments to silicotics; amending sections 71-1003, 71-1004, and 71-1008, all Revised Codes of Montana, 1947, as amended; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 408, introduced by Cerovski: A bill for an act entitled: "An act to amend section 77-1304 of the Revised Codes of Montana, 1947, Replacement Volume 5, relating to the State Civil Defense Agency and the annual salary of the director; containing a repealing clause." Referred to Committee on State Administration.

House Bill No. 409, introduced by Flynn, by request: A bill for an act entitled: "An act providing for the dissolution of weed control and weed seed extermination districts, and amending section 16-1723, R.C.M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 410, introduced by Flynn, by request: A bill for an act entitled: "An act providing for an embargo against the importation of grain, hay, straw, plants, seeds, tubers, nursery stock or fruit or other material containing noxious weed seeds into the state; and amending Section 16-1708, R.C.M. 1947." Referred to Committee on Agriculture and Irrigation.

House Bill No. 411, introduced by Harper, Tracy, O'Hair, Lombardi: A bill for an act entitled: "An act providing for the election of members of the State Fish and Game Commission; and amending sections 26-101, 26-102, and 26-103, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 412, introduced by Tracy, Slaby, O'Leary, Gilligan, Lombardi, Harper: A bill for an act entitled: "An act creating a Department of Motor Vehicles; providing for appointment of a director, specifying term of office and giving of bond; investing the department with power to administer and enforce the Montana Highway Use Act; specifying the powers of the director and the limitations thereon; providing for the appointment of a hearing board by the director with the approval of the highway commission; providing for the promulgation of rules and regulations by the director with the approval of the Highway Commission; providing that the director shall study the operation and administration of the Montana Highway Patrol, the Montana Highway Patrol Board, the Registrar of Motor Vehicles, the State Reciprocity Board, the functions of the State

Highway Commission relating to collection of fees, the function of the State Board of Equalization relating to the collection of fuel taxes and refunds thereof and report on such study; requiring the cooperation of other state boards and offices; repealing all acts and parts of acts inconsistent and providing an effective date." Referred to Committee on Highways.

House Bill No. 413, introduced by Tracy, Slaby, O'Leary, Gilligan, Lombardi, Harper: A bill for an act entitled: "An act imposing taxes in consideration of the use of the public highways of Montana by motor vehicles; defining the terms person, motor vehicle, commission, farm vehicle and logging vehicle; making it unlawful to use the public highways of the state without first securing a use permit; providing rate schedules; providing for special mobile equipment; providing the method for obtaining a use permit; providing the dates upon which the taxes imposed are due, and the place of payment; granting to the State Highway Commission power to issue temporary use permits; providing the method of making returns; fixing liability for taxes upon the carrier and owner; providing certain exceptions in the case of special kinds of trailing units, for persons entitled to reciprocity, for operators of certain interstate fleets; providing for trip permit; giving the State Highway Commission power to determine the tax due; providing for hearings in the commission; providing an exclusive method for the judicial review of decisions of the commission; providing procedures for the collection of taxes due and vesting power in the commission to issue certificates which when filed have the status of judgments of the district courts; providing for liens on motor vehicles for unpaid taxes and providing the method of foreclosure of such liens and the priority thereof; providing for the revocation of registrations of motor vehicles for non-payment of taxes; providing the method of serving notices and process and for the appointment of the Secretary of State as an agent upon whom notice or process may be served; providing for interest and penalties, both civil and criminal, for violations of the act and rules enacted pursuant thereto; giving Justice and District Courts concurrent jurisdiction of misdemeanors committed under the act; providing that violations of the act are in part committed in Helena; providing for the prosecution of violations by the Attorney General and the County Attorneys; providing for refunds; giving the State Highway Commission powers to administer and enforce the act, require security for the payment of taxes due or to be due, to make rules for its own procedures, to designate ports of entry, to appoint deputies, to generally make rules for the enforcement and administration of the act; providing for the disposition of revenues received under the act; providing for severability; regulating the transfer of use permits; limiting municipal taxation of motor vehicles; providing short title; repealing certain acts and parts of acts and saving the penalties under repealed acts; providing for an effective date." Referred to Committee on Highways.

House Bill No. 414, introduced by Swanz, Willits, Zimmer, MacCalman: A bill for an act entitled: "An act to regulate establishments providing transient lodging space and/or accommodations; defining terms; providing for licensure and license fee; and providing procedure for cancellation or denial of license; empowering State Board of Health of Montana to make and enforce all necessary regulations including sanitary standards for such establishments; providing for public hearing on rules and regulations; and, to establish cooperative agreements with other Montana agencies; providing for inspections and report of inspection; empowering State Board of Health of Montana to issue subpoenas; prescribing penalties; providing for fee required by this act to supersede other fees for same purpose; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and repealing sections 34-201, 34-202, 34-203, 34-204, 34-205, 34-206, 34-207, 34-208, 34-209, 34-210, 34-211, 34-212, 34-213, 34-214, 34-215, 34-216, 34-217, Revised Codes of Montana, 1947, as amended or supplemented, and establishing effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 415, introduced by Sheehy: A bill for an act entitled: "An act to amend Section 84-202 R.C.M. 1947, to provide exemption from taxation for non-profit institutions providing care for the aged or chronically ill." Referred to Committee on Ways and Means.

House Bill No. 416, introduced by Sheehy: A bill for an act entitled: "An act to amend section 60-135, R.C.M. 1947, relating to court review of orders of the Oil and Gas Conservation Commission of the State of Montana, manner and conduct of trial, temporary restraining order, when allowed, bond and appeals; amending sub-section A of said section relative to trials before District Courts by elimination therefrom of de novo provision; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 417, introduced by Sheehy: A bill for an act entitled: "An act to amend Section 11-3827, R.C.M. 1947, to authorize cities, counties and city-county planning boards to accept, receive, take, hold, own, and possess any gift, donation, grant, devise or bequest, or any property, real, personal, or mixed, or any improved or unimproved park of playground, and utilize, hold or dispose of the same for planning purposes not inconsistent with the provisions of Title 11, Ch. 38, R.C.M. 1947." Referred to Committee on Affairs of Cities.

House Bill No. 418, introduced by Sheehy: A bill for an act entitled: "An act to amend Section 11-3830, Revised Codes of Montana, 1947, so as to increase the jurisdictional area of the city-county planning board from four and one-half (4½) miles to twelve (12) miles beyond the limits of any city within the jurisdictional area." Referred to Committee on Affairs of Cities.

House Bill No. 419, introduced by Sheehy: A bill for an act entitled: "An act to authorize duly constituted city-county planning board to conduct specific planning projects outside the jurisdictional area of said planning board, if requested by the Board of County Commissioners, and to construe said power broadly so as to enable the county to qualify under the provisions of and regulations governing any planning assistance program administered by an agency of the United States of America or the State of Montana." Referred to Committee on Affairs of Cities.

House Bill No. 420, introduced by Sheehy: A bill for an act entitled: "An act to require insurance contracts covering Montana groups to conform to Montana group life law; providing that Montana law governs policies payable to Montana residents; and providing for an effective date and a repealing clause." Referred to Committee on Business and Industry.

House Bill No. 421, introduced by Sheehy, O'Leary, Gerke: A bill for an act entitled: "An act to provide state competitive scholarships in higher education for persons of undergraduate status, based on scholastic aptitude and financial need, to be used in collegiate institutions in this state; providing for a title of this act and stating its intent and purpose; creating 'Regents' competitive scholarships; providing that there shall be no discrimination with respect to awarding such scholarships; prescribing the qualifications of scholarship award winners; providing for county scholarships and scholarships at large, and procedures when county scholarships are not awarded; stating the institutions eligible for the use of such scholarships; providing for the amount and duration of such scholarships, and the renewal thereof; providing for annual competitive examinations to determine scholarship award winners; creating a 'Regents' competitive scholarship advisory commission' and providing for the appointment thereof; establishing the duties and terms of office of the members of the Regents competitive scholarship advisory commission; providing for the administration of this act by the State Board of Regents; providing that the Board of Regents may adopt rules and regulations not in conflict with this act; providing for the constitutionality of the remainder of the act if any portion of this act is found unconstitutional; and providing an effective date." Referred to Committee on Education.

House Bill No. 422, introduced by Sheehy, Felt: A bill for an act entitled: "The Montana Primary Election Law of 1965, providing for designation of candidates for political office by party assembly and by petition; for Primary Elections; for registration of electors by party affiliation; amending sections 23-904, 23-917, and 23-918; repealing sections 23-801 to 23-820 inclusive; 23-902, 23-903, 23-909 to 23-916 inclusive; 23-919, 23-920, 23-929, 23-932; and 23-1001 to 23-1008 inclusive, R.C.M., 1947; providing for an effective date; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 423, introduced by Cerovski, Loman: A bill for an act entitled: "An act to amend Section 66-2209 of the Revised Codes of Montana of 1947, as amended by Chapter 90 of the Laws of 1955, relating to the definition of veterinary medicine, by including in such definition the performance of procedure for diagnosis of pregnancy, sterility or infertility upon livestock for remuneration." Referred to Committee on Livestock and Ranges.

House Bill No. 424, introduced by Cerovski, Delano: A bill for an act entitled: "An act to prevent discrimination and unfair competition in buying and selling dairy products by making it unlawful for wholesalers, processors, and distributors of dairy products to furnish, give, rent, lease, sell or lend to retail dealers or consumers any money, equipment, fixtures, supplies or other things of value; providing penalties; providing for injunctive relief; and providing an effective date." Referred to Committee on Agriculture and Irrigation.

House Bill No. 425, introduced by Cerovski, Raundal, Laas, Lewis: A bill for an act entitled: "An act to restore to the State Board of Examiners its constitutional powers and duties and to restore certain powers and duties relating to the supervision and control of state expenditures, by amending Sections 82-1902 to 82-1906, inclusive, 82-1909, 82-1919, 79-602 and 3-107 of the Revised Codes of Montana; reinstating powers and duties of said Board of Examiners relating to examination of books, publication of financial statements, purchase of supplies, bidding on and awarding of state contracts, employment of clerical help, and prohibiting contracts and compensation to employees in excess of appropriation; repealing all acts and parts of acts in conflict herewith; and providing this act shall be in effect upon passage and approval." Referred to State Administration.

House Bill No. 426, introduced by Cerovski, Raundal, Lewis, Laas: A bill for an act entitled: "An act to amend section 82-3302 of the Revised Codes of Montana of 1947 (Chapter 271 of the Laws of Montana, 1963), relating to the Department of Administration, by providing the department and the State Controller shall be subject to the direction and supervision of the Board of Examiners; repealing all acts and parts of acts in conflict herewith; providing this act shall be effective upon passage and approval." Referred to Committee on State Administration.

House Bill No. 427, introduced by Watt, Cregg, Smiley: A bill for an act entitled: "An act to amend Section 75-1813, R.C.M. 1947, relating to the creation of school districts by consolidation and annexation of existing school districts." Referred to Committee on Education.

House Bill No. 428, introduced by Watt, Scherf, Meccage: A bill for an act entitled: "An act to provide for the development of financial schedules relating to the educational programs required by the state for elementary and secondary schools; providing for duties of the Superintendent of Public Instruction; and appropriating moneys for the purposes of this act." Referred to Committee on Education.

House Bill No. 429, introduced by McDonald, Casey, Delano, Bollinger, Willits, Selstad: A bill for an act entitled: "An act relating to special improvement districts in cities and towns; and amending section 11-2202, R.C.M. 1947, to permit improvement districts for building and constructing

municipal swimming pools and other recreation facilities." Referred to Committee on Affairs of Cities.

House Bill No. 430, introduced by Mather, Gilligan: A bill for an act entitled: "An act to provide that sheriffs and their deputies may issue citations for traffic offenses; to provide for a penalty for failure to appear; and to provide an effective date." Referred to Committee on Judiciary.

House Bill No. 431, introduced by McNamara: A bill for an act entitled: "An act amending section 91-4406, R.C.M. 1947 to increase the insurance exemption of an estate." Referred to Committee on Judiciary.

House Bill No. 432, introduced by Johnson, Tracy, Lombardi, Gilligan, Slaby: A bill for an act entitled: "An act to amend Section 87-103 R.C.M. 1947, relating to benefits payable to unemployed persons under the Montana Unemployment Compensation Law; increasing the maximum weekly benefits from the thirty-four dollars (\$34.00) per week to forty-four dollars (\$44.00) and increasing the minimum qualifying wage from twelve hundred eighty-two dollars and fifty cents (\$1,282.50) to seventeen hundred thirty-two dollars and fifty cents (\$1,732.50); providing for an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 433, introduced by Raundal, Hanks, Eklund, Lund: A bill for an act entitled: "An act to amend Section 53-615, R.C.M. 1947, to provide that trucks, trailers and semi-trailers owned by contractors engaged principally in soil conservation work and land leveling activities resulting in direct benefit to agriculture be included in the list of vehicles to pay gross vehicle weight fees at a rate of 20% of the fees provided in schedules I and II of said section, and containing a repealing clause." Referred to Committee on Highways.

House Bill No. 434, introduced by Smiley, Dye, Felt, Stranahan, Selstad, Tracy: A bill for an act entitled: "An act establishing a position of criminal investigator; providing an appropriation; and amending Section 82-401, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 435, introduced by Lucas, Gilfeather: A bill for an act entitled: "An act to abolish the lien for those installments of special improvement district assessments on all lands heretofore sold by counties which accrued after the counties acquired title to such lands, and before the counties sold such lands; and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 436, introduced by McNamer, Mather: A bill for an act entitled: "An act to amend Section 86-511, R.C.M. 1947, relating to the compensation of trustees and providing for reasonable compensation under the circumstances." Referred to Committee on Judiciary.

House Bill No. 437, introduced by McNamer, Mather: A bill for an act entitled: "An act to amend Section 67-1912, R.C.M. 1947, relating to the payment of trustees' annual compensation out of income and trustees' final termination commissions out of principal." Referred to Committee on Judiciary.

House Bill No. 438, introduced by McNamer, Mather: A bill for an act entitled: "An act relating to the retention by trustees of securities and other property received into the trust." Referred to Committee on Judiciary.

House Bill No. 439, introduced by Christiansen, Zimmer, Nefzger, Aasheim: A bill for an act entitled: "An act requiring electric signals at all points where railroad lines cross state highways; amending Section 72-164, R.C.M. 1947." Referred to Committee on Highways.

House Bill No. 440, introduced by Felt: A bill for an act entitled: "An act to amend Section 84-5402 R.C.M. 1947, relating to net proceeds tax on metal mines; eliminating substance of statement submitted to

the State Board of Equalization and leaving the substance of such statement to the board's discretion; amending Section 84-5403 R.C.M. 1947, relating to computation of net proceeds by changing the definitions of the terms "gross product" and "net proceeds" and by eliminating certain deductions previously allowed and granting the State Board of Equalization's power to require submission of information." Referred to Committee on Business and Industry.

House Bill No. 441, introduced by Zimmer, Swanz, Healy, Christiansen, Rygg: A bill for an act entitled: "An act to amend Section 4-333, R.C.M. 1947, as amended by Chapter 205, Laws of 1959, relating to the issuance of retail beer licenses, limiting the number of off-premises beer licenses, lapse and cancellation of the same; defining the terms hotel, motel and lodge; providing for limited retail beer licenses to hotels, motels, and lodges; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 442, introduced by Zimmer, Swanz, Healy, Christiansen, Rygg: A bill for an act entitled: "An act to amend Section 4-403, R.C.M. 1947, as amended by Chapter 217, Laws of 1963, relating to the issuance of retail liquor licenses; defining the terms hotel, motel and lodge; providing for limited retail liquor licenses to hotels, motels and lodges; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 443, introduced by Gilfeather, Willits, Slaby, Johnson, Gilligan: A bill for an act entitled: "An act relating to the competent and safe repair of highway operated vehicles; creating a regulatory board; prescribing powers and duties, requiring the certification of mechanics and the registration and bonding of service dealers; establishing competent and safe repair standards and practices; and providing penalties." Referred to Committee on Business and Industry.

House Bill No. 444, introduced by Bardanouve, Harper, Egan: A bill for an act entitled: "An act concerning the percentage of compensation which may be expended for election campaigns; and amending sections 94-1427 and 94-1428, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 445, introduced by Bardanouve: A bill for an act entitled: "An act providing that a person may not be elected or appointed to the office of Senator or Representative in Congress who has not resided in the state at least one year prior to his election or appointment." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 446, introduced by Schye: A bill for an act entitled: "An act to amend Section 93-9914, R.C.M. 1947, to provide three (3) days for filing commissioners' report." Referred to Committee on Judiciary.

House Bill No. 447, introduced by Gilfeather, Scherf, Flynn, Watt, Aasheim, Gill, Stranahan: A bill for an act entitled: "An act amending Section 84-1501, R.C.M. 1947, to provide that the corporation license tax shall be five and one-half per centum ($5\frac{1}{2}\%$) of all net income, provided, however, that as to all taxable periods ending on or after December 31, 1967, the percentage of net income to be paid shall be four and one-half per centum ($4\frac{1}{2}\%$)." Referred to Committee on Ways and Means.

House Bill No. 448, introduced by Gilfeather, Watt, Flynn, Aasheim, Gill, Johnson, Stranahan: A bill for an act entitled: "An act to provide for a surtax upon the net income of all taxpayers, as defined in Section 84-4901, R.C.M. 1947, for all taxable periods commencing on or after December 31, 1964 to and including all taxable periods ending on or before December 30, 1967." Referred to Committee on Ways and Means.

House Bill No. 449, introduced by Healy, Pierce, Gilligan: A bill for an act entitled: "An act to amend Section 5-1028, R.C.M. 1947, preventing

branch banking and exceptions with respect thereto and providing for armored car and messenger service by banks, and defining terms." Referred to Committee on Business and Industry.

House Bill No. 450, introduced by Healy, Lombardi, Tracy: A bill for an act entitled: "An act amending Section 11-3810, Revised Codes of Montana, 1947, providing for city-county planning boards, the members and terms of office thereof; providing for two official and two citizen members to be appointed by the Board of County Commissioners, and two official and two citizen members to be appointed by the city council; providing that official members may be employees or office holders of political subdivisions appointing them; providing for permissive residence requirements; providing for the terms of office of both official and citizen members; providing the effective date hereof; and providing for the repeal of all acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 451, introduced by Healy, Pierce, Lombardi, Shugrue, Crum: A bill for an act entitled: "An act to amend Section 4-140 of the Revised Codes of Montana, 1947, relating to the application of the State Liquor Control Act of Montana to provide that the manufacture, distillation, rectification, bottling or processing of liquor as these terms are defined under the provisions of the laws of the United States, shall be authorized and permitted by any brewer, distiller, rectifier or other person duly licensed under any provision of any statute of the United States of America in a place and in the manner authorized by or under any such statute, provided the Montana State Liquor Control Board may make such regulations as it may deem necessary with regard thereto not inconsistent with this act or with the statutes of the United States or federal regulations issued pursuant thereto." Referred to Committee on Business and Industry.

House Bill No. 452, introduced by Stranahan, Meccage, Selstad: A bill for an act entitled: "An act to provide for distinctive license plates for motor vehicles owned by active members of the Montana National Guard." Referred to Committee on Highways.

House Bill No. 453, introduced by Watt, Cregg: A bill for an act entitled: "An act concerning the establishment and duties of city street commissioners in certain cities." Referred to Committee on Affairs of Cities.

House Bill No. 454, introduced by Watt, Cregg: A bill for an act entitled: "An act concerning the share of motor vehicle fees certain cities are to receive; amending Section 53-122, R.C.M. 1947." Referred to Committee on Highways.

House Bill No. 455, introduced by Watt, Cregg: A bill for an act entitled: "An act allowing certain cities and counties to levy a motor vehicle use tax." Referred to Committee on Highways.

House Bill No. 456, introduced by Watt, Cregg: A bill for an act entitled: "An act allowing certain cities and counties to levy a license tax on gasoline and motor fuel." Referred to Committee on Ways and Means.

House Bill No. 457, introduced by Bailey, Delano: A bill for an act entitled: "An act to amend Section 26-215, R.C.M. 1947, of the fish and game law authorizing the State Fish and Game Commission to promulgate and enforce rules and regulations governing the hunting of non-game animals in the interest of public safety and protection of property." Referred to Committee on Fish and Game.

House Bill No. 458, introduced by Sheehy, Nichols, Felt: A bill for an act entitled: "An act appropriating the sum of thirteen thousand nine hundred fifteen and 65/100 dollars (\$13,915.65) to pay the claim of Walter E. Jenkins, the father and legal guardian of the estate and person of Judith Ann Jenkins, a minor; the claim was heard and unanimously ap-

proved and allowed by the State Board of Examiners; the claim is for injuries received by the minor child, Judith Ann Jenkins, to her right eye and nose as a direct result of the negligence of the Montana National Guard in causing an explosive device to be detonated during the course of a parade at Wibaux, County of Wibaux, Montana, on the 4th day of July, 1961." Referred to Committee on Appropriations.

House Bill No. 459, introduced by Hall: A bill for an act entitled: "An act to amend Section 23-505, R.C.M. 1947, by providing for designation of precinct committeemen and committeewomen as deputy registrars in the precincts in which they reside, and providing for compensation and duties for such deputy registrars." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 460, introduced by Hall: A bill for an act entitled: "An act to amend Section 11-1829, Revised Codes of Montana, 1947, Replacement Volume 1, relating to the investment of funds held by the board of trustees for the retirement of policemen to provide authority to deposit the funds in savings and loan associations in addition to the bonds of the United States, State of Montana, or city or town and providing a repealing clause." Referred to Committee on Affairs of Cities.

House Bill No. 461, introduced by Hall: A bill for an act entitled: "An act to amend Section 45-502, Revised Codes of Montana, 1947, to provide that notice of intention to file a mechanics lien or a copy of a filed mechanics lien may be served upon an owner, that failure to serve does not affect the validity of the lien but that prior to such service the owner is protected to the extent of any payment made in good faith to any contractor or other creditor thereon and providing a method for service upon the owner." Referred to Committee on Judiciary.

House Bill No. 462, introduced by Hall: A bill for an act entitled: "An act to amend Section 73-201, Revised Codes of Montana, 1947, relating to constructive notice of conveyances of real property so as to provide for constructive notice of conveyances of real property executed and recorded prior to acquiring an interest in such real property, and providing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 463, introduced by Hall, Gunderson: A bill for an act entitled: "An act to amend Section 91-3519, Revised Codes of Montana, 1947, Replacement Volume 6, relating to moneys in the hands of executors or administrators of estates to provide authority to deposit the money in savings and loan associations in addition to loaning the money with the approval of the court and providing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 464, introduced by Rygg, Zimmer: A bill for an act entitled: "An act voiding certain beneficial devises, legacies and gifts made in a will by a patient or inmate of a public institution to a person employed at the institution at the time of the execution of the will." Referred to Committee on Judiciary.

House Bill No. 465, introduced by Willits, Gill: A bill for an act entitled: "An act providing for an annual two dollar fee on passenger automobiles to be divided among incorporated cities and towns to be used for streets and alleys." Referred to Committee on Affairs of Cities.

House Bill No. 466, introduced by Hall, Gilfeather: A bill for an act entitled: "An act providing that children of unemployed fathers living in the home of such father, or children living in the home of a head of a household, and who are otherwise entitled to aid to dependent children, shall be entitled to such aid, and providing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 467, introduced by Hall, Gilfeather: A bill for an act entitled: "An act authorizing and directing the Department of Public Welfare of the State of Montana to participate in all federal public assist-

ance programs in which matching funds from the State of Montana are not required, to participate in all federal assistance programs in which matching funds are required to the extent such matching funds are appropriated by the Legislative Assembly; and requiring the Department of Public Welfare to report to the Legislative Assembly on the availability and utilization of such programs." Referred to Committee on Judiciary.

House Bill No. 468, introduced by Hall, Gilfeather: A bill for an act entitled: "An act amending Section 71-314, Revised Codes of Montana, 1947, as amended, providing for grants of general relief assistance." Referred to Committee on Judiciary.

House Bill No. 469, introduced by Bardanouve, Harper: A bill for an act entitled: "An act amending Section 69-512, R.C.M. 1947, to require local registrars to send copies of death certificates to certain County Clerk and Recorders in certain cases." Referred to Committee on Judiciary.

House Bill No. 470, introduced by Raundal, Jenkins: A bill for an act entitled: "An act allowing certain trustees to serve for one (1), two (2), or three (3) year terms; and amending Section 14-509, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 471, introduced by Twedt by request: A bill for an act entitled: "An act to amend subsections (a) through (f) of Section 68-901, R.C.M. 1947, which provide for the service retirement allowance of members of the public employees' retirement system; by providing that members of the system may retire and receive their full pensions at age sixty (60), rather than sixty-five (65) years." Referred to Committee on State Administration.

House Bill No. 472, introduced by Gilligan, Tracy, O'Leary, Slaby: A bill for an act entitled: "An act concerning a winter work program." Referred to Committee on Affairs of Cities.

House Bill No. 473, introduced by Tooke, Slaby, Hall: A bill for an act entitled: "An act allowing cities and towns to tax certain motor vehicles and motor vehicle bodies; and amending Section 11-918, R.C.M. 1947." Referred to Committee on Affairs of Cities.

House Bill No. 474, introduced by Cеровski: A bill for an act entitled: "An act to amend sections 87-103, 87-104, and 87-109, R.C.M. 1947, of the Unemployment Compensation Law; providing for an increase in benefit schedules, deleting surplus and obsolete provisions, making certain disqualifications monetary in nature, increasing wages on which contributions shall be paid to \$3,600.00, providing an increased contribution rate for employers with excessive charge backs, and providing an effective date." Referred to Committee on Labor and Compensation.

House Bill No. 475, introduced by Harper, Christiansen: A bill for an act entitled: "A bill to require competitive bidding before awarding of contracts by the state, counties, cities, school districts, and political subdivisions for architectural services, and repealing sections 66-114 and 66-115 of the Revised Codes of Montana of 1947." Referred to Committee on State Administration.

House Bill No. 476, introduced by Boughton: A bill for an act entitled: "An act providing for payments by the State Fish and Game Commission to private land owners on whose land deer, elk or antelope graze." Referred to Committee on Fish and Game.

House Bill No. 477, introduced by Flynn, Schye, Eskildsen: A bill for an act entitled: "An act relating to the time schedule for payments to contracting architects; and amending Section 66-1155, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 478, introduced by Bardanouve: A bill for an act entitled: "An act to provide for removal of abandoned vehicles from high-

ways and for the disposal of abandoned vehicles which are unclaimed." Referred to Committee on Highways.

House Bill No. 479, introduced by Bardanoue, Eskildsen, Nefzger, Slaby: A bill for an act entitled: "An act relating to construction and maintenance of certain streets and highways in or near incorporated municipalities." Referred to Committee on Highways.

House Bill No. 480, introduced by Tracy: A bill for an act entitled: "An act amending Section 47-125, R.C.M. 1947, relating to the maximum allowable rate of interest on loans of money, to define what shall be considered interest." Referred to Committee on Judiciary.

House Bill No. 481, introduced by Tracy: A bill for an act entitled: "An act to require lenders to inform borrowers of the true finance charge on all loans of money." Referred to Committee on Business and Industry.

House Bill No. 482, introduced by Stranahan, Schye, Sullivan: A bill for an act entitled: "An act to amend Section 4-170, R.C.M. 1947, by deleting therefrom provisions preventing the canvassing or soliciting of orders for the purchase or sale of liquor by agents, representatives or intermediaries of distillers or distributors; providing for sales promotion by distiller's or distributor's agents, representatives or intermediaries, license and fee therefor; prohibiting political contributions by such agents, representatives or intermediaries; and providing a penalty therefor." Referred to Committee on Business and Industry.

House Bill No. 483, introduced by Harper: A bill for an act entitled: "An act requiring that junked motor vehicles used to reinforce river banks be filled with rocks and connected with a steel cable securely anchored to another object." Referred to Committee on Livestock and Ranges.

House Bill No. 484, introduced by Tracy, Sullivan: A bill for an act entitled: "An act requiring the lessee of restaurants, bars or taverns to file payroll bonds for the protection of employees of lessees where the equipment, appliances, and other accessories necessary for the conduct of business therein at the place of business are owned by the lessor." Referred to Committee on Business and Industry.

House Bill No. 485, introduced by Schye: A bill for an act entitled: "An act requiring the Highway Commission to set aside approximately fifteen percent of the money expended for construction and reconstruction of highways for small business." Referred to Committee on Business and Industry.

House Bill No. 486, introduced by Stranahan, Schye: A bill for an act entitled: "An act relating to incorporation of communals, communal societies or communal association and prescribing the purposes, duties and requirements thereof." Referred to Committee on Townships and Counties.

House Bill No. 487, introduced by Schye, Eskildsen, Flynn: A bill for an act entitled: "An act relating to subcontractors' names being submitted with bids; requiring subcontractors to furnish prime contractors with performance bonds; amending Sections 6-501 and 82-1133, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 488, introduced by Felt: A bill for an act entitled: "An act relating to disqualifications for and forfeiture of benefits; and amending Section 87-106, R.C.M. 1947." Referred to Committee on Labor and Compensation.

House Bill No. 489, introduced by Flynn, Schepens, Garrison, Williams: A bill for an act entitled: "An act establishing a horse racing commission and defining its powers and duties, repealing Section 94-2425, R.C.M. 1947; providing for an effective date." Referred to Committee on Agriculture.

House Bill No. 490, introduced by Flynn, Cregg: A bill for an act entitled: "An act amending Sections 11-504 and 11-505, R.C.M. 1947, to provide for tax liability of certain territory excluded from cities and towns." Referred to Committee on Affairs of Cities.

House Bill No. 491, introduced by Flynn, Cregg: A bill for an act entitled: "An act to amend Sections 11-403 and 11-509, R.C.M. 1947, by removing certain exemptions from annexation of land by certain municipalities." Referred to Committee on Affairs of Cities.

House Bill No. 492, introduced by Lucas, Ulmer: A bill for an act entitled: "An act appropriating money for the purchase and remodeling of the veterans' administration hospital at Miles City, Montana." Referred to Committee on Appropriations.

House Bill No. 493, introduced by Schepens: A bill for an act entitled: "An act to amend Section 75-4409, R.C.M. 1947, by authorizing governing boards to charge different tuitions and to amend Section 75-4412, R.C.M. 1947, relating to the qualifications of dean and instructors of a junior college." Referred to Committee on Education.

House Bill No. 494, introduced by Harper: A bill for an act entitled: "An act to provide that public roads shall be open to the public; declaration and policy; protection of private property rights, providing marking of public roads." Referred to Committee on Highways.

House Bill No. 495, introduced by Mather: A bill for an act entitled: "An act providing for formation and control of joint high school districts in adjacent counties, and, providing procedures for creation thereof by districts or parts of districts." Referred to Committee on Education.

House Bill No. 496, introduced by Cerovski: A bill for an act entitled: "A bill creating an absentee ballot election board for the purpose of counting absentee ballots and reporting the results to the county clerk." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 497, introduced by Obstarczyk, Atkins, Tracy, Lombardi: A bill for an act entitled: "An act abolishing the state liquor monopoly; providing for licenses for wholesale import and sale of liquor; abolishing individual permits; and changing the state excise tax rate; amending Sections 4-102, 4-107, 4-108, 4-122, 4-134 through 4-139, 4-141, 4-150, 4-151, 4-158, 4-160, 4-169, 4-201, 4-202, 4-211, 4-228, 4-229, 4-234, 4-240, 4-402, 4-414, 4-417, 4-435, 4-501, and 4-502, R.C.M. 1947, and repealing Sections 4-114 through 4-121, 4-123 through 4-132, 4-152, 4-157, 4-159, 4-162, 4-164, 4-166, 4-168, 4-170, 4-232, 4-235, 4-416, 4-418, 4-419, and 4-421, R.C.M. 1947." Referred to Committee on Ways and Means.

House Bill No. 498, introduction by Stranahan: A bill for an act entitled: "An act to amend Section 4-349, R.C.M. 1947, relating to forbidding brewers to furnish property, except of limited value, to retail licensees, or to be financially interested in the conduct or operation of the business of retail licensees; permitting advertising with restrictions; increasing the period for extension of credit by a brewer or wholesaler to a retail licensee; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 499, introduced by Schye, Judge: A bill for an act entitled: "An act to amend Section 59-1102.1, R.C.M. 1947, relating to social security coverage of state and local employees, to provide that the state may deem a separate retirement system with respect to any one or more political subdivisions of the state for purposes of a referendum and coverage." Referred to Committee on State Administration.

House Bill No. 500, introduced by Schye, Judge: A bill for an act entitled: "An act to amend Section 59-1109, R.C.M. 1947, relating to social security coverage of the staff and teachers of school districts to provide that the state may deem a separate retirement system with re-

spect to any one or more school districts of the state for purposes of a referendum and coverage, and to provide the procedure for such referenda." Referred to Committee on State Administration.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Monday, January 25, 1965.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk.

TWENTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 25, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Garrison, Loman, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twentieth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

COMMUNICATIONS AND PETITIONS

The following was read at length by the Chief Clerk:

Subject: Lobbyists in Unauthorized Rooms

It has come to the attention of the Attaches Department Heads, and also the Speaker of the House that within the past few days several of the lobbyists have been in many of the authorized rooms in the House Chambers.

The Speaker would like to bring this to the attention of all concerned that the Steno Pool, the Enrolling Room, the Engrossing Room, the Chief Clerk's office and any committee room, unless asked by a member to attend, are off limits, and the Speaker would like to emphasize this at this time. Thank you.

MESSAGES FROM THE GOVERNOR

January 22, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 33—introduced by Schepens, et al.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

January 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 33, introduced by Siderius, et al.

Senate Bill No. 34, introduced by McDonnell and Lehrkind.

Senate Bill No. 61, introduced by Hibbard, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

January 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 18, introduced by Hanks, et al. was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Bashor that House Bill No. 145 be taken from the Committee on Public Health, Welfare and Safety and rereferred to the Committee on Highways. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Gunderson that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading of Bills. Motion carried.

Schye of Meagher in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 38 be amended in Section 2 by inserting after the word "agencies" and the period on page 2, line 5 of the original bill and page 2, line 5 of the printed bill, the following material: "The amount for which a state officer or employee shall be bonded shall be based on the amount of money or property handled and the opportunity for defalcation. If a state officer or the head of an agency, board or department feels that the amount of the bond set by the controller is excessive or inadequate, he may appeal to the board of examiners, whose decision shall be final."

And as so amended, do pass.

That House Bill No. 104 do pass.

That House Bill No. 39 do pass.

That House Bill No. 141 do pass.

SCHYE, Chairman.

Report adopted as amended.

THIRD READING OF HOUSE BILLS

The following having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 10 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 89.

Noes: Broeder, Zimmer. Total 2.

Absent or not voting: Willits. Total 1.

Excused: Garrison, Loman. Total 2.

House Bill No. 89 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Loman, Garrison. Total 2.

House Joint Resolution No. 12 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Gunderson. Total 1.

Excused: Loman, Garrison. Total 2.

House Bill No. 49 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Boughton, Broeder, East, Jensen, Mather, Selstad, Smith, Ulmer, Williams. Total 9.

Absent or not voting: Gunderson. Total 1.

Excused: Loman, Garrison. Total 2.

House Bill No. 75 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 89.

Noes: Nutting, Zimmer. Total 2.

Absent or not voting: Gunderson. Total 1.

Excused: Loman, Garrison. Total 2.

House Bill No. 97 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: Hanks. Total 1.

Absent or not voting: None.

Excused: Loman, Garrison. Total 2.

House Bill No. 100 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano,

Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 78.

Noes: Aasheim, Brenner, Cummings, Flynn, Harper, MacCalman, O'Hair, Prevost, Raundal, Scherf, Smith, Stranahan, Willits, Zimmer. Total 14.

Absent or not voting: None.

Excused: Loman, Garrison. Total 2.

Lucas requested that the House be on Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Motion was made by Lucas that an error in the Journal be corrected as follows: Broeder, Rehberg, Schepens, Nichols were shown "Absent or not voting" when they should have been excused. Motion carried.

Cerovski moved that the House recess until 2:00 p. m. this day.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 25, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 39, 141, 104 and 38.

JAMES, Vice-Chairman.

January 25, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 18.

HARPER, Chairman.

MESSAGES FROM THE SENATE

January 25, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and they are herewith returned to the House:

House Bill No. 6, introduced by Eskildsen, et al.

House Bill No. 35, introduced by Sheehy, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

January 25, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 39, introduced by Lehrkind, et al.

Senate Bill No. 49, introduced by Committee on Judiciary.

Senate Bill No. 52, introduced by Beck and Nixon.

Senate Bill No. 54, introduced by Turnage and Mahoney.

Senate Bill No. 72, introduced by Cumming and Thiessen.

Senate Joint Resolution No. 6, introduced by Gerard, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Clerk requested that the House revert to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

I have examined House Bill No. 18 introduced by me and find the same to be correct.

HANKS.

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 18.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

Senate Joint Resolution No. 6, introduced by Gerard, Brenner, McGowan, Beck: A Joint Resolution of the Senate and House of Representatives of the State of Montana, urging the passage of legislation to amend the reclamation act and any other laws or rules, to waive the application of the land limitation clause in the area above Canyon Ferry dam in the State of Montana, and providing that copies be forwarded to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States; to the Honorable Mike Mansfield and Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana; to the Secretary of the Interior and to the United States Bureau of Reclamation. Referred to Committee on Constitution, Elections and Federal Relations.

FIRST READING AND COMMITMENT OF BILLS

The following Senate Bills were introduced, read first time, and referred to committees:

Senate Bill No. 61, introduced by Hibbard, Cumming, McDonnell: A bill for an act entitled: "An act relating to insider trading of domestic stock insurance company equity securities." Referred to Committee on Business and Industry.

Senate Bill No. 39, introduced by Lehrkind, McGowan, Mackay, Gerard: A bill for an act entitled: "An act amending the water well contractor's license act to increase the number of persons composing the water well con-

tractor's examining board from three (3) to five (5) persons." Referred to Committee on State Administration.

Senate Bill No. 33, introduced by Siderius, Hilling, Goodwin, Hibbard: A bill for an act entitled: "An act amending Section 16-3205, R. C. M. 1947, deleting the requirement that County Auditors reside at the county seat; providing that County Auditors be paid compensation monthly; providing an effective date." Referred to Committee on Townships and Counties.

Senate Bill No. 72, introduced by Cumming, Thiessen: A bill for an act entitled: "An act requiring that seat belts be installed in all automobiles manufactured or assembled commencing with the 1966 models; directing the Highway Patrol supervisor to establish specifications and requirements for approved types of safety belts and attachments; and providing a penalty." Referred to Committee on Business and Industry.

Senate Bill No. 54, introduced by Turnage, Mahoney: A bill for an act entitled: "An act relating to the uniform commercial code of Montana by adding a new section to be known and codified as Section 87A-9-408, relating to the filing by certain public utilities of certain instruments required to be filed under the provisions of the uniform commercial code; providing for a repealing clause; providing for a severability clause; and providing for an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 52, introduced by Beck, Nixon: A bill for an act entitled: "An act to amend Section 82-3303, R.C.M. 1947, enacted as Section 3, Chapter 271, Laws of 1963, renaming certain divisions of the Department of Administration." Referred to Committee on State Administration.

Senate Bill No. 49, introduced by Committee on Judiciary: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as 'The 1965 Bond Validating Act'; containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 34, introduced by McDonnell, Lehrkind: A bill for an act entitled: "An act to describe, define, and officially adopt a system of coordinates for designating and stating the positions of points on the surface of the earth within Montana." Referred to Committee on State Administration.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Tuesday, January 26, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

TWENTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 26, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Bollinger, Garrison, Leuthold, McOmber, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-second Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 do pass.

JUDGE, Chairman.

Report adopted.

January 25, 1965

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 be amended by striking from the title the words "REPEALING SECTION 75-1814, R.C.M. 1947." being lines 5 and 6 of the original bill, page 1, and deleting the semi-colon after the word "DISTRICTS" on line 5, page 1 of the original bill and inserting in lieu thereof a period ".", and

by deleting the words in Section 2, page 3, line 8 of the original bill as follows: "Section 75-1814, R.C.M. 1947, is repealed." and inserting in lieu thereof the words: "This act is effective April 1, 1965."

and by striking out Section 3, page 3, line 9 of the original bill, in its entirety.

And, as amended, do pass.

AASHEIM, Chairman.

Report adopted.

January 25, 1965

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 do not pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 do not pass.

BARDANOUE, Chairman

Substitute motion was made by Watt that House Bill No. 62 be printed and placed on Second Reading. Substitute motion was lost.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 do not pass.

LOMBARDI, Chairman.

Report adopted.

January 25, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 101 and House Joint Resolutions Nos. 13 and 14, beg leave

to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman

January 25, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bill No. 18, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:20 o'clock p. m. delivered to the Governor for his approval.

HARPER, Chairman.

MESSAGES FROM THE GOVERNOR

January 25, 1965

Received from Warren Harper, Chairman of Bills Committee, House Bill No. 18 at 2:20 p. m.

TIM BABCOCK, Governor

by Jeanie Morris,
Secretary

January 25, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 18—Introduced by Hanks, Smiley, Aasheim, Judge and Rehberg.

Sincerely yours,

TIM BABCOCK, Governor

January 25, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Joint Resolution No. 11, introduced by Eskildsen, et al.

Sincerely yours,

TIM BABCOCK, Governor

Cerovski moved that the Speaker appoint a committee of three to work with a committee of like number from the Senate for the purpose of considering legislative business to be presented to the Legislative Council for their consideration. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 39 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Aasheim. Total 1.

Absent or not voting: Nefzger. Total 1.

Excused: Bollinger, Garrison, Leuthold, Loman, McOmber. Total 5.

House Bill No. 141 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Brenner, Johnson, Slaby, Twedt. Total 4.

Absent or not voting: None.

Excused: Bollinger, Garrison, Leuthold, Loman, McOmber. Total 5.

House Bill No. 104 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: None.

Excused: Bollinger, Garrison, Leuthold, Loman, McOmber. Total 5.

House Bill No. 38 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James,

Jenkins, Jensen, Johnson, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Rehberg, Rygg, Schepens, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 67.

Noes: Aasheim, Atkins, Cerovski, Deschamps, Gerke, Harper, Judge, Laas, Lewis, McNamara, Neffzger, O'Hair, Raundal, Sartz, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Zimmer. Total 22.

Absent or not voting: None.

Excused: Bollinger, Garrison, Leuthold, Loman, McOmber. Total 5.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 26, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 144, 3 and 132, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 5, respectfully report as follows: That House Resolution No. 5 be amended as follows:

Strike all of the language on page 1 of the original resolution, commencing with line 30, the word "Now" and continuing through the end of the resolution, with the word "resolution" and inserting in lieu thereof the following language:

NOW, THEREFORE, BE IT RESOLVED: That anyone using a recording device to record any portion of the House of Representatives in session, shall use said electronic recording device visibly at the press table provided therefor at the front of the House.

NOW, THEREFORE, BE IT FURTHER RESOLVED, That nothing in this resolution is intended to limit or prohibit reporting of the proceedings by the news media, transcription of the proceedings by shorthand or the recording of any of the proceedings if done in manner prescribed in the paragraph above.

BE IT FURTHER RESOLVED, That any violation of this rule shall be enforced by the Sergeant-at-Arms.

And as so amended, recommend that House Resolution No. 5 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Civil Suit No. 1214, respectfully report as follows: That Civil Suit No. 1214 be reported out. The State of Montana in this action is represented by Forrest Anderson, and on Wednesday, January 13, 1965, the Federal Court entered its temporary order in the case. That opinion is self-explanatory.

There is nothing further for the Judiciary Committee to do but to refer the members of the House to the Opinion of the Federal Court on the matter. We request that the Opinion be mimeographed and distributed to the members of the House.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do not pass.

HEALY, Chairman.

Motion was made by Healy for the adoption of the Committee report.

Substitute motion was made by Hall that House Bill No. 137 be taken from the Ways and Means Committee and given to the Committee on Judiciary. Substitute motion lost. Division having been called for, the following vote was taken: Ayes—41; Noes—44. Substitute motion failed to carry.

Report adopted on the original motion that House Bill No. 137 do not pass.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 do not pass.

HEALY, Chairman.

Motion was made by Healy for the adoption of the Committee report. Substitute motion was made by Hall that House Bill No. 138 be taken from the Ways and Means Committee and given to the Judiciary Committee. Motion was lost. Division having been called for, the following vote was taken: Ayes—45; Noes—41. Substitute motion carried.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do not pass.

HEALY, Chairman.

Motion was made by Healy for adoption of the Committee report.

Substitute motion was made by Hall that House Bill No. 139 be taken from the Committee on Ways and Means and given to Judiciary Committee. Substitute motion lost. Division having been called for, the following vote was taken: Ayes—43; Noes—44. Substitute motion was lost.

Report adopted on the original motion by Healy for the adoption of the Committee report.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 do not pass.

HEALY, Chairman.

Substitute motion was made by Hall that House Bill No. 140 be taken from the Committee on Ways and Means and rereferred to the Committee on Judiciary. Substitute motion lost. Division having been called for, the following vote was taken: Ayes—38; Noes—50. Substitute motion was lost.

Report adopted on the original motion by Healy for the adoption of the committee report.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 be amended as follows:

Delete the words "half of one" on line 27, page 2, in subsection (2) of original bill:

Delete the figure " $\frac{1}{2}$ " and the word "of" on line 27, page 2, in subsection (2) of the original bill:

Delete the word "one" and the figure "(1)" on line 29, page 2, in subsection (2) of the original bill; insert the figure "(2)" and the word "two" in lieu thereof:

Add the letter "s" to the word "mill" on line 29, page 2, in subsection (2) of the original bill.

And as amended, do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 281, respectfully report as follows: That House Bill No. 281 do pass.

TRACY, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Rehberg, having voted on the prevailing side, moved that the House reconsider its action in adopting a substitute motion moving House Bill No. 138 from Committee on Ways and Means to Committee on Judiciary. Motion carried. Division having been called for, the following vote was taken: Ayes—50; Noes—37. Motion carried.

Motion was made by Healy that further consideration of House Bill No. 138 be indefinitely postponed. Motion carried.

Cregg, having voted on the prevailing side, moved that the House reconsider its action on House Bill No. 62, and further that it be printed and placed on second reading. Motion was lost. Division having been called for, the following vote was taken: Ayes—35; Noes—53. Motion failed to carry.

UNFINISHED BUSINESS

In accordance with the motion previously carried, the Speaker appointed the following committee to work with the Senate in regard to legislation to be submitted to the Legislative Council:

Hanks, Chairman; Fischer, Asbjornson.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Wednesday, January 27. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 27, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Garrison, O'Hair, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-third Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

I have examined House Bill No. 6 introduced by me and find the same to be correct.

ESKILDSSEN.

January 27, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 6 by Eskildsen.

HARPER, Chairman.

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 6.

January 26, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 30, beg leave to report that the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

January 26, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 95, 111, 76, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

January 27, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 35.

HARPER, Chairman.

I have examined House Bill No. 35 introduced by me and find the same to be correct.

SHEEHY

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 35.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 8, respectfully report as follows: That Senate Bill No. 8 be concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 35, respectfully report as follows: That Senate Bill No. 35 be concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Joint Resolution No. 19, respectfully report as follows: That House Joint Resolution No. 19 do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do not pass.

BARDANOUE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that House Bill No. 3 be taken from Second Reading and rereferred to Committee on Appropriations. Motion carried.

Motion was made by Hanks that House Bill No. 171 be taken from the Committee on Agriculture and rereferred to the Committee on Appropriations. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Eklund that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Smiley of Gallatin in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading recommend the following:

That House Joint Resolution No. 13 do pass.

That House Joint Resolution No. 14 do pass.

That House Bill No. 101 do pass.

SMILEY, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 500, respectfully report as follows: That House Bill No. 500 do not pass.

CUMMINGS, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 499, respectfully report as follows: That House Bill No. 499 do not pass.

CUMMINGS, Vice-Chairman.

Report adopted.

January 27, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 6 and 35, do hereby report that said bills, together with a copy

thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:10 o'clock, a. m., delivered to the Governor for his approval.

HARPER, Chairman.

January 26, 1965

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do not pass.

WATT, Chairman.

Motion was made by Watt that the committee report be adopted.

Substitute motion was made by Mather that House Bill No. 224 be printed and placed on Second Reading, Committee of the Whole. Felt requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose and roll call vote was taken. The substitute motion failed to carry by the following vote:

Ayes: Asbjornson, Boughton, Broeder, Casey, Christiansen, Crum, Delano, Dye, East, Eklund, Falkenstern, Felt, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, Mather, McNamara, McNamer, Meccage, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Watt, Williams, Woodard. Total 41.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Cregg, Cummings, Deschamps, Egan, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McOmber, Nefzger, Obstarczyk, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Willits, Zimmer. Total 48.

Absent or not voting: MacCalman, Mr. Speaker. Total 2.

Excused: Garrison, O'Hair, Stranahan. Total 3.

January 27, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolution No. 13, House Joint Resolution No. 14, House Bill No. 101.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do pass.

WATT, Chairman.

Report adopted.

January 26, 1965

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250 be amended by adding Section 3 to page 3, line 7 of the original bill and page 2, line 24 of the mimeographed copies as follows:

"Section 3. This act is in full force and effect upon passage and approval." and

As amended do pass.

LAAS, Chairman.

Report adopted.

January 26, 1965

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 be amended as follows: delete the words "on the state and interstate highways" on page 1, lines 28 and 29 of the original bill and page 1, lines 26 and 27 of the mimeographed copies, and

As amended do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Joint Resolution No. 36, respectfully report as follows: That House Joint Resolution No. 36 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 be amended as follows:

Delete all of lines 4, 5 and 6 on page 1 of the original bill and insert in lieu thereof the following:

A BILL FOR AN ACT ENTITLED: "AN ACT MAKING IT UNLAWFUL FOR ANY PERSON TO HAVE IN HIS IMMEDIATE POSSESSION ANY FIREARM WHEN UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR NARCOTIC DRUGS AND PROVIDING A PUNISHMENT THEREFOR."

Delete all of Section 1 on Page 1 of the original bill and insert in lieu thereof the following:

Section 1. No person shall have in his immediate possession any firearms, nor shall he enter upon any lands or go upon any waters in this state, while having in his immediate possession any firearms, when under the influence of intoxicating liquor or narcotic drugs.

Delete all of Section 3 on page 1 of the original bill and insert in lieu thereof the following:

Section 3. In the event the person convicted of a violation of this act shall hold a Montana hunting license at the time of his conviction, the court in which such conviction is had shall require the surrender to it of such hunting license or licenses, and shall forward said license or licenses to the state fish and game commission. In all cases of conviction of a violation of this act, or upon forfeiture of bail upon a compliant charging a violation hereof, the court in which such person is convicted, or such forfeiture made, shall forward a report of such conviction or violation to the state fish and game commission.

Delete all of Section 4 on pages 1 and 2 of the original bill and insert in lieu thereof the following:

Section 4. Upon receiving such report of the conviction of any person of a violation of this act, or such report of forfeiture of bail by any person on a complaint filed under this act, the state fish and game commission shall forthwith revoke all Montana hunting licenses held by such person. If a person is convicted a second and subsequent time for violation of this act, or forfeits bail upon a second or subsequent complaint filed against him under this act, the state fish and game commission, in addition to revoking all Montana hunting licenses held by such person, shall order that no Montana hunting licenses be issued to such person for a period of two years from the date of said conviction or such forfeiture.

And as amended, do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Resolution No. 7, respectfully report as follows: That House Resolution No. 7 be amended as follows:

Delete the words "WHEREAS, this honorable body has observed with sympathy that the esteemed Senate of the State of Montana is still laboring with the antiquated tools of ages past, without the benefit of microphones or roll call machines; and on lines 14, 15, 16 and 17 on page 1 of the original resolution.

Delete the words "RESOLVED, That the House of Representatives of the Thirty-ninth Legislative Assembly respectively urge the Senate to consider the adoption" on lines 31 and 32 on page 1 of the original resolution.

Delete the words "and use of an amplifying system and an electric roll call machine to facilitate the work of that honorable body;" on lines 1 and 2 on page 2 of the original resolution.

Delete the word "FURTHER" on line 3 on page 2 of the original resolution.

And, as amended, do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 be sent to the Committee on Constitution, Elections and Federal Relations for consideration.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 be amended as follows: In the title of the act, page 1, line 8 of the original bill, strike the period after the word "deeds" and adding the following, "comma" and containing a repealing clause and an effective date."

And as amended, recommend that House Bill No. 181 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 190, respectfully report as follows: That House Bill No. 190 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 be amended as follows:

Strike all of Section 1, page 1, line 8 of the original bill, and insert in lieu thereof the following:

"Section 1. Any waiver of statutory exemption from execution in an unsecured promissory note shall be unenforceable as contrary to public policy."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 be amended as follows:

Page 1, line 10 of the original bill between the words "thereof" and "held" insert the following: "or any other property not subject to ad valorem tax to the owner thereof by reason of the legal status of the owner"

Be further amended—Page 1, line 11 of the original bill between the words "purchase" and "by" insert the following: "with lease monies applicable to purchase price"

Be further amended—Page 1, line 13 of the original bill between the words "assessment" and "for" insert the following: "to purchaser or lessee"

Be further amended—Page 1, line 17 of the original bill between the words "assessed" and "and" insert the following: "to such person, firm or corporation"

Be further amended to add Section 3 as follows: "Section 3. This act shall be in full force and effect from and after its passage and approval".

And, as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 be sent to the Committee on Constitutions, Elections, and Federal Relations because it involves a referendum.

SHEEHY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

January 27, 1965
@ 11:10 a. m.

Received from Warren Harper, Chairman, Bills Committee, House Bills No. 6 and 35.

TIM BABCOCK, GOVERNOR

By Jeanie Morris

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 6: Introduced by Necrology Committee:

THAT WHEREAS, MEMBERS OF THIS HOUSE, ALONG WITH ALL OF THE PEOPLE OF THE STATE OF MONTANA, WERE PROFOUNDLY SHOCKED AND BEREAVED BY THE NEWS OF

THE UNTIMELY DEATH OF JACK C. TOOLE OF SHELBY,
TOOLE COUNTY, MONTANA, AND
WHEREAS,
NOW, THEREFORE, BE IT RESOLVED:

Read at length

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Eklund that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Smiley of Gallatin in the Chair. House arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading recommend the following:

That House Bill No. 144 do pass.

That House Bill No. 132 do pass.

That House Bill No. 95 do pass.

That House Bill No. 111 do pass.

That House Bill No. 76 do pass.

SMILEY, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Thursday, January 28, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

TWENTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana

January 28, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Garrison, James, Obstarczyk, Sheehy, Spilde, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-fourth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker left the Chair. Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

January 28, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 201, 248, 247, 203, 29 and 183, and House Joint Resolution No. 19, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-chairman.

January 27, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 132, 144, 95, 111 and 76.

HARPER, Chairman.

January 27, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 123, 184, 185, 186, 177, 124 and 182, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 be amended as follows:

Amend page 2 of the original bill, in Section 2, by striking out the word "and" after the word "fresh" on lines 30 and 31 and inserting the words "and/or".

And as amended, do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 do not pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 be amended in Section 13, page 9, line 26 of the original bill, by deleting the comma "," after the word "students" and also deleting the words "regardless of age," on the same line, by deleting the words "exclusive of temporary absences," on line 27, page 9, of the original bill and by deleting the words "exclusive of temporary absences," and the commas "," after the word "attendance" in lines 5 and 6, page 10 of the original bill.

And, as amended, do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 be amended as follows:

1. Amend Section 8 of the original bill on page 5, line 17, by inserting after the semi colon the following material: "a representative of the banking industry;"

2. Further amend Section 8 of the original bill on page 5, line 21 by adding after the period the following material: "Committee members shall serve for three year terms. Initial appointments shall be made so that the terms of five members expire each year."

3. Further amend Section 8 of the original bill on page 5, line 28 by inserting after the word "governor" the words "or chairman".

4. Further amend Section 8 of the original bill on page 5, by deleting the words between the word "of" on line 12 and the word "appointed" on line 13, and inserting in lieu thereof the words "University of Montana, Montana State University, and the Montana College of Mineral Science and Technology".

And as amended, do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, of the Legislative Administration Committee, recommend that the following be dropped:

Mary Lou Fink—Typist.
James Flynn—Proofreader.
Betty Erickson—Stenographer.
Doris Neu—Stenographer.

We also recommend that the following be hired:

Elizabeth Grainey—Typist.
Carol Dunstan—Typist.
Barbara Anderson—Typist.
Larry Licini—Mail Clerk.
Edward Neu—Proofreader.
Jeannine Irene Date—Proofreader.
Mrs. Edward H. Bell—Proofreader.
Sharon Dupis—Proofreader.
Helen Heller—Proofreader.
Carol Sewell—Mimeograph.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 38, respectfully report as follows: That Senate Bill No. 38 be not concurred in.

ESKILDSSEN, Chairman.

Motion was made by Eskildsen for adoption of the Committee report. Substitute motion was made by Hall that Senate Bill No. 38 be placed on

Second Reading. After debate, Haines moved the previous question. Motion was made by Wayrynen that the House recess for 10 minutes. Motion carried. Division having been called for, the motion to recess carried by the following vote: Ayes: 47; Noes: 41.

House recessed.

House resumed. Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 38, respectfully report as follows: That Senate Bill No. 38 be not concurred in.

ESKILDSEN, Chairman.

Eskildsen moved adoption of the Committee report.

Substitute motion was made by McDonald that Senate Bill No. 38 be placed on Second Reading. Motion carried.

MESSAGES FROM THE GOVERNOR

January 28, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 6—Introduced by Eskildsen, Bashor, and Lucas.

House Bill No. 35—Introduced by Sheehy, Lucas, Felt, McNamer, and Cеровski.

Sincerely yours,
TIM BABCOCK, Governor.

January 27, 1965

To the Honorable
Members of the House of Representatives of the Thirty-ninth
Legislative Assembly

I have received a House Resolution signed by Representative John C. Hall of Cascade, Representative Peter J. Gilligan of Cascade, Representative John K. McDonald of Cascade, Representative Thomas L. Judge of Lewis and Clark, Representative Warren W. Harper of Park, Representative Ronald W. Holtz of Cascade, Representative Elmer Flynn of Missoula and Representative Jack Gunderson of Cascade.

The Resolution submitted indicates the signers of this proposal do not understand state finance and wish to secure additional information from this office. This I am pleased to provide.

In accounting and public finance terminology, the term "surplus" means "an excess of receipts over ordinary disbursements during any given period of time." For your information, Montana operates on a fiscal year basis. This begins each July 1 and ends the following June 30. You will readily find in the State Controller's records a daily, monthly and annual expression of net general fund condition. Where there is an excess cash position, it is accurately reflected in these records. The following list shows the year ending cash balance for the years 1957 through 1964. Also shown are the mid-year amounts as of December 31 each year. In this pre-

sentation you should be aware of two circumstances. These are, (1) about January 1, each year, school funds appropriated from the general fund are disbursed, and (2) most of the state's revenue to the general fund is received between February and June of each year.

State of Montana
Schedule of General Fund Balances
as of

	June 30th	December 31st
1964	\$ 3,766,897.61	\$ 4,274,294.28
1963	2,242,140.52	(3,987,755.65)
1962	(843,151.02)	(5,520,778.44)
1961	(4,460,502.36)	(2,382,932.38)
1960	(4,981,305.79)	(3,942,388.00)
1959	(2,239,733.61)	(3,176,229.62)
1958	177,139.00	1,681,406.66
1957	3,072,099.23	(4,371,965.38)

Quite obviously, the cash balances indicated are in the budget and are included for appropriation in the next biennium.

I sincerely hope this does resolve your present question regarding state finance. It is somewhat disturbing to realize the amount of work that must be accomplished during a legislative session and to discover time being taken by such a request when a proper answer could have been obtained by spending very few minutes with the State Budget Director and the State Controller.

I am arranging a briefing meeting for 4:00 p.m. Friday, January 29, in the Governor's Reception Room, and will have the State Budget Director, the State Controller, the State Auditor and Mr. Nelson of my staff available. If there are other members who do not understand this procedure and wish added information, it can be discussed at this time. This invitation is also extended to the Finance and Claims and Taxation Committees of the Senate.

Respectfully submitted,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

January 28, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 14 introduced by Mathers, et al, was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Lucas that the validity of the proceedings on House Bill No. 224 in yesterday's session be referred to the Rules Committee. Motion carried.

Motion was made by Hall that the Governor's Report on House Resolution No. 4 be referred to the Ways and Means Committee. Motion carried.

Motion was made by Hanks that House Bill No. 234 be taken from Printing and rereferred to the Agricultural Committee. Motion carried.

Motion was made by Felt that House Bill No. 251 be taken from the Committee on State Administration and rereferred to Committee on Judiciary. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to Committee:

Senate Bill No. 14, introduced by Mathers, Graham, Hilling, Holt, Rostad, Bentz: A bill for an act entitled: "An act amending section 75-3617, R.C.M. 1947, to provide that an elementary school having an ANB of nine (9) or less may be approved as an isolated school upon certain findings of the County Superintendent of Schools and State Superintendent of Public Instruction, approved by the Board of School Budget Supervisors; and providing for an effective date." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Scherf that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading recommend the following:

That House Bill No. 30 be passed for the day.

ESKILDTSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House pass business under Third Reading until this afternoon. Motion carried.

Motion was made by Cerovski that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 26, 1965

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 be amended as follows:

That the title be amended in the following particulars: page 1, line 5, add the words "or wilful neglect" between the words "abuse" and "of". Page 1, line 6, striking the words "department of public welfare" and inserting in lieu thereof the word "attorney" between the words "county" and "in".

And be further amended, page 1, line 15, Section 1 be amended by adding the words "or wilful neglect" between the words "injury" and "inflicted".

And be further amended by striking Section 2 in its entirety and inserting in lieu thereof the following:

"Section 2. Reports. Any licensed physician and surgeon, resident or intern, who examines, attends or treats a child under the age of eighteen (18) years, or any registered nurse, practical nurse, any visiting nurse, any school teacher, or any social worker acting in his or her official capacity, having reason to believe that such child has had serious injury or injuries inflicted upon him or her as a result of abuse or neglect, or has been wilfully neglected, shall report the matter promptly to the county attorney in the county where such examination is made or such child is located; provided that when attendance with respect to a child is pursuant to the performance of services as a member of the staff of a hospital or similar institution, such staff member shall immediately notify the superintendent, manager, or other person in charge of the institution who shall make the report forthwith. If the report is not made in writing in the first instance, it shall be reduced to writing by the maker thereof as soon as it conveniently may be after it is initially made by telephone or otherwise, and it shall contain the names and addresses of the child and his or her parents or other persons responsible for his or her care, to the extent known, the child's age, the nature and extent of the child's injuries (including any evidence of previous injuries), and any other information that the maker of the report believes might be helpful in establishing the cause of the injuries or showing the wilful neglect and the identity of the person or persons responsible therefor, and the facts which led the person reporting to believe that the child has suffered injury or injuries, or wilful neglect, within the meaning of this Act."

And be further amended by striking Section 3 in its entirety and inserting in lieu thereof the following:

"Section 3. Action on reporting. If from said report it shall appear that the child suffered such injury or injuries or wilful neglect in the county in which the examination was made, the county attorney receiving the report shall immediately cause to be made the investigation hereinbelow referred to. If from such report it shall appear that the child suffered such injury or injuries or wilful neglect in a county other than that in which the examination was made, the county attorney receiving the report shall forthwith transmit such report to the county attorney of the county in which it appears such injury or injuries or wilful neglect were suffered, and the county attorney of the latter county shall immediately cause to be made the investigation herein referred to. In making such investigation of the report, the county attorney may utilize the services of the county welfare department and all other departments of his county. The investigation shall be made into the home of the child involved and into the circumstances surrounding the injury of the child, and into all other matters which, in the discretion of the county attorney shall be relevant and material to said investigation."

And as so amended, do pass.

SHEEHY, Chairman.

Report adopted.

January 27, 1965

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 be referred to the Committee on State Administration for consideration.

SHEEHY, Chairman.

Report adopted.

January 21, 1965

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 74, respectfully report as follows: That House Bill No. 74 be amended as follows:

Be it amended on page 1, line 6—strike from the title of the bill the language “and providing that the damage to the property shall be prima facie evidence of negligence.”

And further amended, page 1, line 6, after the word “negligence” strike the “comma” and insert a “period”.

Further amended, page 1, line 11, add word “negligently” between the words “and” and “leaves”.

Further amended, page 1, line 16, delete “period” after word “negligence” and add the words “if any, in such acts or omissions”.

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 do pass.

GILFEATHER, Chairman.

Report adopted.

January 28, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 265, 181, 191, 234, 155, 249, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Deschamps that House Bill No. 26 be removed from the Committee on Business and Industry and rereferred to Committee on Judiciary. Motion was lost.

Motion was made by Lucas that Senate Joint Resolutions 4 and 5 be withdrawn from the Committee on Reapportionment and placed on Second Reading. After debate, Lucas moved that a roll call vote be taken and the results thereof be spread on the Journal. Sufficient seconds arose, and the motion lost by the following vote:

Ayes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, McNamer, Meccage, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 37.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, Mather, McDonald, McNamara, McOmber, Neffzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Shugrue, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 51.

Absent or not voting: Fischer, Slaby. Total 2.

Excused: Garrison, Haines, James, Sheehy. Total 4.

Extension of time was granted on Senate Joint Resolutions 4 and 5.

Motion was made by Lucas that the rules be amended by providing that all committees report in proper form and that such report be transmitted to this Legislative body within twenty-four hours after committee

has acted. Substitute motion was made by Cerovski that the original motion by Lucas be rereferred to the Rules Committee. Substitute motion carried.

Motion was made by Shugrue that House Bill No. 307 be removed from the Committee on Judiciary and rereferred to the Committee on Labor and Compensation. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 501, introduced by Obstarczyk, Atkins, Schye, Gunder-son, Gilligan, Stranahan, O'Leary, Tracy, Eskildsen, Lombardi, Sullivan, Shugrue, Gerke, Willits, Hall: A bill for an act entitled: "An act relating to registration of liquor and wine brands or labels." Referred to Com-mittee on Ways and Means.

House Bill No. 502, introduced by Watt, Wayrynen, Christiansen, Healy, Deschamps, Gunderson, Laas, Lewis, Cregg, Zimmer, Brenner, Bardanouve, Gill, Harper, Nefzger, Flynn, Johnson, Twedt, Gerke, Egan, Cummings, Raundal, Hanks, Sartz, Atkins, Schepens, Scherf, Cerovski, Obstarczyk, Stranahan, McDonald, Gilligan, McNamara, Eklund, O'Hair, Prevost: A bill for an act entitled: "An act providing revenue for the long range building program; providing for the issuance and sale of bonds; and amending Section 84-1901, R.C.M. 1947, to provide that 5% of the income tax be deposited in the long range building account of the bond proceeds and insurance clearance fund." Referred to Committee on Ways and Means.

House Bill No. 503, introduced by Wayrynen: A bill for an act en-titled: "An act relating to registration fees on liquor and wine brands or labels; and placing a license fee on cases of liquor and wine." Referred to Committee on Ways and Means.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Scherf that the House resolve itself into a Com-mittee of the Whole for consideration of businees under Second Reading. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading recommend the following:

That Senate Bill No. 8 be concurred in.

That Senate Bill No. 35 be passed for this sitting.

ESKILDSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess subject to the Call of the Chair.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 28, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 281 and 152, beg leave to report the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that consideration of House Bill No. 132 be passed for this day on Third Reading. Motion carried.

Motion was made by Rygg that House Bill No. 251 be moved from Judiciary and rereferred to the Committee on Labor and Compensation. Motion was lost.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 13 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Cregg, Holtz, Johnson, MacCalman. Total 4.

Absent or not voting: Bashor, Willits. Total 2.

Excused: Garrison, Haines, James, Obstarczyk, Sheehy. Total 5.

House Joint Resolution No. 14 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Boughton, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 78.

Noes: Bardanouve, Bollinger, Broeder, Casey, Jensen, MacCalman, Selstad, Smiley. Total 8.

Absent or not voting: Crum, Hanks, Willits. Total 3.

Excused: Garrison, Haines, James, Obstarczyk, Sheehy. Total 5.

House Bill No. 101 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Crum, Delano, Deschamps, Dye, East,

Eklund, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 71.

Noes: Asbjornson, Boughton, Broeder, Casey, Cummings, Egan, Eskildsen, Harper, Lewis, Lucas, Mather, Nefzger, Raundal, Schepens, Smith, Spilde, Zimmer. Total 17.

Absent or not voting: Willits. Total 1.

Excused: Garrison, Haines, James, Obstarczyk, Sheehy. Total 5.

House Bill No. 144 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanoue, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 82.

Noes: Atkins, Gilfeather, Harper, Scherf, Shugrue, Smiley, Mr. Speaker. Total 7.

Absent or not voting: None.

Excused: Garrison, Haines, James, Obstarczyk, Sheehy. Total 5.

House Bill No. 95 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanoue, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: None.

Excused: Garrison, Haines, James, Obstarczyk, Sheehy. Total 5.

House Bill No. 111 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanoue, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather,

McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: East. Total 1.

Absent or not voting: None.

Excused: Garrison, Haines, James, Obstarczyk, Sheehy. Total 5.

House Bill No. 76 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: MacCalman, Stranahan. Total 2.

Absent or not voting: None.

Excused: Garrison, Haines, James, Obstarczyk, Sheehy. Total 5.

Motion was made by Cerovski that the House recess until 5:15 p.m. this day. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 28, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 262, 71 and House Joint Resolution No. 36, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations having had under consideration House Joint Resolution No. 6, respectfully report as follows: That House Joint Resolution No. 6 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations having had under consideration House Joint Resolution No. 15, respectfully report as follows: That House Joint Resolution No. 15 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 be amended as follows:

Be amended by striking HB-81 in its entirety following the introduction, and beginning on line 4, page 1, of the original bill and continuing through line 28, page 1, of the original bill, and substituting in lieu thereof the following:

"A bill for an act entitled: "An act to amend subsection (1) of Section 75-2707, R.C.M. 1947, pertaining to retirement at age of seventy of members of the teachers retirement system, and providing the exception to required retirement."

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 75-2707 (1) (b), R.C.M. 1947, be, and the same is hereby amended to read as follows:

"75-2707. Benefits. (1) Superannuation retirement benefit. (a) Any member who has completed ten years of creditable service, the last ten years of which shall have been in this state, and who has attained the age of sixty may retire from service, if he files with the retirement board his written application setting forth the fact of his retirement.

(b) That from and after the passage and approval of this act, any member in service who has attained the age of seventy years, during any school year shall be retired by said retirement board on the first day of September following his or her seventieth birthday, provided, however, that this provision shall not apply to teachers in the University of Montana who may be employed beyond the age of seventy upon the recommendation of the president of the unit concerned to the Board of Regents. Provided further that such teachers (1) shall not be given credit toward retirement pay for teaching service rendered after the end of the school year in which the age of seventy is attained, (2) shall not contribute to the retirement system after the end of said school year, and (3) shall not have the compensation received after the end of said school year used in computing final average salary. Initial employment of teachers in the University of Montana beyond the age of seventy may be made upon the recommendation of the president of the unit concerned to the Board of Regents but such employees are denied membership in the teachers' retirement system.

Provided, further, that any retired teacher may be employed as a teacher in Montana and may earn an amount not to exceed one-fourth of his final average compensation without loss of retirement benefits."

And, as amended, do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Joint Resolution No. 33, respectfully report as follows: That House Joint Resolution No. 33 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 do not pass.

JUDGE, Chairman.

Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

House Bill No. 504, introduced by McNamara, O'Leary, Sheehy, Atkins: A bill for an act entitled: "An act amending Section 84-4907, R.C.M. 1947,

relating to nonresident taxpayers personal income tax and deductions therefrom; providing for proration of exemptions; and providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 505, introduced by Bardanouve, Prevost: A bill for an act entitled: "An act to provide funds for a program of medical assistance for the aged by amending Section 84-5608, Revised Codes of Montana, 1947, relating to a discount on purchase of cigarette tax insignia, by discontinuing said discount and earmarking a percentage of cigarette tax moneys for the support of a program of medical assistance for the aged." Referred to Committee on Ways and Means.

House Bill No. 506, introduced by Ways and Means Committee: A bill for an act entitled: "An act providing for a nonresident contractor's license fee." Referred to Committee on Ways and Means.

House Bill No. 507, introduced by Johnson, Watt, Cregg, Deschamps, Flynn, Lombardi, Healy, Tracy, Lewis, Shugrue, Gunderson, Holtz: A bill for an act entitled: "An act to appropriate money to the Superintendent of Public Instruction for the support of the vocational education program for the biennium ending June 30, 1967." Referred to Committee on Ways and Means.

House Bill No. 508, introduced by O'Hair, Dye, Jensen, Meccage: A bill for an act entitled: "An act relating to taxation of certain oleomargarine." Referred to Committee on Ways and Means.

House Bill No. 509, introduced by Tracy, Lombardi, Deschamps, Shugrue, Healy: A bill for an act entitled: "An act to provide an appropriation of moneys for the office of State Inspector of Mines." Referred to Committee on Appropriations.

House Bill No. 510, introduced by Watt, Cregg, Deschamps, Flynn, Gilfeather, Slaby, Schepens: A bill for an act entitled: "An act authorizing the collection of a service charge for handling certain funds; and amending Section 84-4902, R.C.M. 1947." Referred to Committee on Ways and Means.

House Bill No. 511, introduced by Harper, Slaby, Gunderson, Nefzger, Lombardi, Schepens, Twedt: A bill for an act entitled: "An act to tax interest and dividends paid to nonresident individuals and corporations by certain persons; providing for withholding and payment of the State Board of Equalization of such tax; and providing for the manner of collection of such tax, the duties of withholding agents, the powers of the State Board of Equalization, and penalties for neglect or failure to comply with the provisions of this act." Referred to Committee on Ways and Means.

House Bill No. 512, introduced by Watt, Cregg, Flynn: A bill for an act entitled: "An act providing revenue for the long range building program; providing for the issuance and sale of bonds; and amending Section 84-1901, R.C.M. 1947, to provide that 5% of the income tax and corporation license tax be deposited in the long range building account of the bond proceeds and insurance clearance fund." Referred to Committee on Ways and Means.

House Bill No. 513, introduced by Wayrynen, Cerovski: A bill for an act entitled: "An act providing for a license fee to be paid by every person manufacturing an article which is sold or offered for sale in the state." Referred to Committee on Ways and Means.

Motion was made by Gilfeather that the House adjourn until 10:00 a.m. Friday, January 29, 1965.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

TWENTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 29, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members present except Gunderson, Haines, Willits, Garrison, James, Sheehy, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-fifth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do not pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 be amended as follows:

1. Amend the title of the original bill on page 1, line 10 by deleting the word "general" and inserting in lieu thereof the words "earmarked revenue".

2. Amend Section 1 of the original bill on page 1, line 29 by deleting the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund and shall be used for the expenses of administering this act".

3. Amend Section 1 of the original bill on page 3, line 8 by deleting the words "general fund" and inserting in lieu thereof the words "earmarked revenue fund and shall be used for the expenses of administering this act".

And as so amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9 be amended as follows:

1. Amend page 1 of the original bill by inserting a period after the word "age" and deleting the words "nor all part time" in line 27, and by deleting the words "workers not regularly employed nor piece workers;" in line 28.

2. Amend page 2 of the original bill by inserting a comma after the word "years" and deleting the words "in or about the" in line 9, and by deleting the words "premises wherein any employee is employed," in line 10.

And as amended, do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 do not pass.

LOMBARDI, Chairman.

Lombardi moved the adoption of the committee report. Substitute motion was made by Tracy that House Bill No. 21 be printed and placed on second reading. Substitute motion carried. Original motion was lost.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 225, respectfully report as follows: That House Bill No. 225 do not pass.

TRACY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 28, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 57, introduced by Judge and Bardanoue was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 28, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and they are herewith returned to the House:

House Bill No. 58, introduced by Judge and Pierce.

House Bill No. 59, introduced by Pierce and Judge.

House Bill No. 103, introduced by Appropriations Committee.

House Bill No. 106, introduced by Appropriations Committee.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 28, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and

history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 23, introduced by Hibbard and Lehrkind.

Senate Bill No. 55, introduced by McGowan, and Hibbard.

Senate Bill No. 56, introduced by Hilling.

Senate Bill No. 71, introduced by Huntley, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

Motion was made by McNamer that House Bills 182 through 186 be consolidated together for consideration of business under Second Reading. Motion carried.

Motion was made by Holtz that House Bill No. 204 be taken from Committee on Judiciary and be rereferred to Committee on Townships and Counties. Motion carried.

Schepens, having voted on the prevailing side, moved that the House reconsider its action on House Bill No. 21, and that a roll call vote be taken, with the results thereof spread on the Journal. The motion failed to carry by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Eklund, Eskildsen, Falkenstern, Flynn, Gerke, Harper, Laas, Leuthold, Lewis, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Slaby, Stranahan, Twedt, Watt. Total 35.

Noes: Asbjornson Atkins, Broeder, Casey, Cregg, Crum, Delano, Dye, East, Egan, Felt, Fischer, Gilfeather, Gill, Gilligan, Hall, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Shugrue, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Ulmer, Williams, Woodard, Zimmer. Total 49.

Absent or not voting: Bashor, Boughton, Hanks, Mr. Speaker. Total 4.

Excused: Gunderson, Haines, James, Willits, Garrison, Sheehy. Total 6.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 23, introduced by Hibbard, Lehrkind: A bill for an act entitled: "An act to amend Section 11-3248, R.C.M. 1947, which fixes salaries of mayors and city commissioners under the commission-manager form of city government; by increasing the salaries of such mayors and commissioners." Referred to Committee on Affairs of Cities.

Senate Bill No. 55, introduced by McGowan, Hibbard: A bill for an act entitled: "An act to amend Section 69-1301, 69-1309, 69-1314, R.C.M. 1947, by inserting terms to include wells and underground waters hitherto not expressly included in this act." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 56, introduced by Hilling: A bill for an act entitled: "An act to amend Sections 11-725, 11-726, 11-728, 11-729 and 11-731, R.C.M. 1947, pertaining to salaries and qualifications of mayors and aldermen, and salaries of police judges, city and town treasurers, city and town clerks and city attorneys by providing for increased salaries for mayors, alder-

men, police judges, city and town treasurers, city and town clerks and city attorneys in first, second and third class cities and towns and providing an effective date." Referred to Committee on Affairs of Cities.

Senate Bill No. 71, introduced by Huntley, Turnage, Dussault, Mahoney: A bill for an act entitled: "An act to amend Section 93-1301, R.C.M. 1947, by removing the maximum age of seventy years from the qualifications of persons otherwise competent to act as jurors; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Prevost that the House resolve itself into a Committee of the Whole for consideration of business under second reading. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading recommend the following:

That consideration of House Bill No. 30 be passed for this sitting.

That Senate Bill No. 35 be concurred in.

That House Bill No. 123 do pass.

That House Bill No. 182 do pass.

That House Bill No. 184 do pass.

That House Bill No. 183 do pass.

That consideration of House Bill No. 185 be passed for this sitting.

That House Bill No. 186 do pass.

That House Bill No. 177 do pass.

That House Bill No. 124 do pass.

That House Bill No. 201 do pass.

That House Bill No. 248 do pass.

That House Bill No. 247 do pass.

That the Committee rise and report.

AASHEIM, Chairman.

Aasheim moved the adoption of the committee report. Substitute motion was made by Gilfeather that House Bill No. 248 be segregated from the Committee of the Whole report, and that after the segregation the report be adopted. Substitute motion carried.

THIRD READING OF HOUSE BILLS

Motion was made by Cerovski that the House pass Third Reading of Bills for this sitting. Motion carried.

January 29, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 120, 250, 258, 259, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Motion was made by Cerovski that the House recess untill 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 be amended as follows:

1. Amend Section 1 of the original bill on page 1, line 15, by inserting the words "shall provide" and deleting the word "provides" between the words "it" and "home" in said line.

2. Amend Section 1 of the original bill on page 1, line 16, by inserting the words "the eligible" between the words "for" and "honorably", and the words "veteran and his eligible wife or widow" after the word "discharged", and deleting the word "veterans" in said line.

3. Amend Section 1 of the original bill on page 1, lines 16, 17, and 18, by deleting the words "The department may also admit wives or widows of honorably discharged veterans to the home if space allows."

And, as so amended, that the said House Bill No. 298 do pass.

ESKILDSEN, Chairman.

Report adopted.

January, 28, 1965

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 145, respectfully report as follows: That House Bill No. 145 do not pass.

LAAS, Chairman.

Report adopted.

January, 28, 1965

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do pass.

LAAS, Chairman.

Report adopted.

January, 28, 1965

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 434, respectfully report as follows: That House Bill No. 434 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 30, respectfully report as follows: That House Joint Resolution No. 30 do pass.

Report adopted.

ESKILDSEN, Chairman.

January, 28, 1965

Mr. Speaker: We, the Majority of your Committee on Ways and Means, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do not pass.

HEALY, Chairman.

LOMBARDI

SULLIVAN

McNAMARA

SLABY

WILLITS

FLYNN

LEWIS

STRANAHAN

Motion was made by Healy for the adoption of the Majority report.

Mr. Speaker: We, your Minority Committee on Ways and Means, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do pass.

BROEDER

FALKENSTERN

SMILEY

SWANZ

ULMER

SCHYE

Substitute motion was made by Broeder for the adoption of the Minority report. After debate, Aasheim moved for a roll call vote with the ayes and nays spread on the Journal. Nichols moved the previous question, which carried by the following vote: Ayes 70, Noes 16. A roll call vote was taken and the substitute motion to adopt the Minority report was lost by the following vote:

Ayes: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 36.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 55.

Absent or not voting: Cregg. Total 1.

Excused: Haines, James. Total 2.

Majority vote was adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 do pass.

GILFEATHER, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 be referred to Ways and Means Committee.

GILFEATHER, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 do not pass.

GILFEATHER, Vice-Chairman.

Gilfeather moved the adoption of the Committee report. Substitute motion was made by Watt that House Bill No. 42 be printed and placed on Second Reading, and that a roll call vote be taken with the results thereof to be spread on the Journal. Substitute motion was lost by the following vote:

Ayes: Bardanouve, Brenner, Christiansen, Cummings, Egan, Eklund, Eskildsen, Fischer, Gerke, Gill, Gilligan, Gunderson, Healy, Holtz, Johnson, Judge, Leuthold, Loman, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Raundal, Rygg, Scherf, Sheehy, Shugrue, Slaby, Tracy, Twedt, Watt, Mr. Speaker. Total 37.

Noes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Crum, Delano, Deschamps, East, Falkenstern, Felt, Flynn, Garrison, Gilfeather, Hall, Hanks, Harper, Jenkins, Jensen, Laas, Lewis, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Pierce, Prevost, Rehberg, Sartz, Schepens, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Williams, Willits, Woodard, Zimmer. Total 51.

Absent or not voting: Atkins, Cregg, Dye, Nutting. Total 4.

Excused: Haines, James. Total 2.

Report adopted.

January 29, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 363, 74, 147, at 2:15 p.m., beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

January 29, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 103, 106, 59, 58.

HARPER, Chairman.

January 29, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 123, 124, 177, 183, 182, 184, 186, 201, and 247.

SCHERF, Vice-Chairman.

I have examined House Bill No. 58 introduced by me and find the same to be correct.

JUDGE.

I have examined House Bill No. 59 introduced by me and find the same to be correct.

PIERCE.

I have examined House Bill No. 103 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 106 introduced by me and find the same to be correct.

BARDANOUE.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 58, 59, 103, 106.

MESSAGES FROM THE SENATE

January 29, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 57, introduced by Nixon, et al.

Senate Bill No. 58, introduced by Nixon, et al.

Senate Bill No. 89, introduced by Mahoney, et al.

Senate Bill No. 100, introduced by Hibbard, et al.

Senate Bill No. 114, introduced by Bentz, et al.

Senate Bill No. 156, introduced by Kafka, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by O'Hair that the House reconsider its action on House Bill No. 471 and that the bill be printed and placed on Second Reading. Motion carried.

Motion was made by Harper that House Bill No. 332 be taken from the Committee on Ways and Means and rereferred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

Motion was made by Sheehy that Senate Joint Resolution Nos. 4 and 5 be taken from the Committee on Reapportionment and placed on Second Reading at the head of the list for this day. Motion carried.

Motion was made by Bashor that House Bill No. 357 be taken from Committee on Public Health, Welfare and Safety and rereferred to Committee on Appropriations. Motion carried.

Motion was made by Gilligan that House Bill No. 472 be taken from Affairs of Cities and referred to Committee on Labor and Compensation. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 156, introduced by Kafka, Huntley, O'Neill, Beck, Hibbard: A bill for an act entitled: "An act to provide for the issuance of twenty dollar (\$20.00) nonresident bear licenses by the Montana Fish and Game Commission." Referred to Committee on Fish and Game.

Senate Bill No. 114, introduced by Bentz, Holt, MacDonald, Brenner, Melcher, Mathers: A bill for an act entitled: "An act authorizing the

State Fish and Game Commission to issue special nonresident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses; containing an expiration date." Referred to Committee on Fish and Game.

Senate Bill No. 100, introduced by Hibbard, Rieder, Groff: A bill for an act entitled: "An act to permit the Montana Fish and Game Commission to plan and develop outdoor recreational resources in the state, which authority shall permit receiving and expending funds including federal grants for this purpose; creating an outdoor recreation advisory and planning committee; providing that the act is effective on passage and approval." Referred to Committee on Fish and Game.

Senate Bill No. 89, introduced by Mahoney, Huntley, Turnage, McDonnell, Ullom, Hafferman, Davis, McKenna: A bill for an act entitled: "An act to authorize cities and towns to make an all purpose annual mill levy in lieu of all levies now authorized by law; and providing an effective date." Referred to Committee on Affairs of Cities.

Senate Bill No. 58, introduced by Nixon, O'Neill, Hibbard: A bill for an act entitled: "An act amending Sections 69-2901, 69-2902, 69-2903, 69-2905, 69-2906, 69-2907, 69-2908, 69-2910, 69-2911, 69-2915, 69-2916, and 69-2917, R.C.M. 1947, relating to hospital licensing and supervision by the State Board of Health to include licensing and supervision of medical facilities and facilities for mental diseases and mental retardation; altering the composition, powers and title of the advisory hospital council with regard to such licensing and supervision; repealing section 69-2910.1, R.C.M. 1947; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 57, introduced by Nixon, O'Neill, Hibbard: A bill for an act entitled: "An act amending sections 69-3001, 69-3002, 69-3003, 69-3004, 69-3007, 69-3008, 69-3009, 69-3010, 69-3012, 69-3013, and 69-3015, as amended, R.C.M. 1947, relating to hospital survey and construction; providing for the development and administration of hospital, medical and related facility construction and alteration programs; providing for compliance with requirements of federal acts and regulations to secure assistance in such programs; designating and authorizing the State Board of Health as the agency of the State of Montana for the development and administration of such programs and empowered to contract with the federal government in furtherance thereof; repealing section 69-3006, R.C.M. 1947; and providing an effective date." Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Prevost that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading recommend the following:

That Senate Joint Resolution No. 4 be concurred in.

That Senate Joint Resolution No. 5 be not concurred in.

That the Committee rise and report.

AASHEIM, Chairman.

Motion was made by Aasheim that the Committee of the Whole report be adopted.

Substitute motion was made by Lucas to amend the Committee of the Whole report and segregate Senate Joint Resolution No. 5 from the Committee report, and as so amended, the report be adopted. Roll call vote was taken and the motion was carried by the following vote:

Ayes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, East, Eklund, Falkenstern, Felt, Garrison, Jenkins, Jensen, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Pierce, Raundal, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 43.

Noes: Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Lewis, Lombardi, McDonald, McNamara, Obstarczyk, O'Hair, O'Leary, Prevost, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 42.

Absent or not voting: Aasheim, Atkins, Cregg, Dye, Judge, Sartz, Mr. Speaker. Total 7.

Excused: Haines, James. Total 2.

Report adopted as amended.

THIRD READING OF HOUSE BILLS

Motion was made by Cerovski that the House pass Third Reading of Bills for the day. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:30 a.m. Saturday, January 30, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

TWENTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 30, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Atkins, Boughton, Brenner, Dye, Haines, James, Cregg, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-sixth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

January 29, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 81, and House Joint Resolutions Nos. 33 and 6, beg leave to

report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do not pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 be amended in the original bill as follows:

Section 1, page 1, line 16, by striking the words "The primary purpose of this act are:" and substituting therefor the words "The Department of Public Institutions is authorized:" and further amending said bill in said Section 1, on page 1, line 28, by striking the words "The secondary purpose of this act is to" and substituting therefor the words "The Department of Public Institutions shall also".

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that House Bill No. 471 be removed from printing and referred to Committee on State Administration. Motion carried.

Motion was made by Healy that House Bill No. 507 be removed from the Committee on Ways and Means and be rereferred to Committee on Appropriations. Motion carried.

Motion was made by Schye that House Bill No. 132 be passed for the day. Motion carried.

Motion was made by Cerovski that House Bill No. 248 be removed from Second Reading and referred to the Committee on Appropriations. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Hanks of Gallatin in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 30 be amended as follows:

Section 1 by striking out in line 83, page 4 of the printed bill, being line 1, page 4 of the original bill, following the word "by" all the rest

of line 83 and all of lines 84 through 90 of the printed bill, being the rest of line 1 and all of lines 2, 3, 4, 5, 6 of the original bill and that portion of line 91 of the printed bill reading “(\$1,500.00) per year.”, being that portion of line 7 of the original bill reading “one thousand five hundred dollars (\$1,500.00) per year.” and inserting in lieu thereof a colon “.” after the word “by” in line 1, page 4 of the original bill and the words

“(1) a widow 62 years of age or older, whether with or without minor or dependent children, or

“(2) a widower 65 years of age or older, whether with or without minor or dependent children, or

“(3) a widow with minor or dependent children regardless of age, or

“(4) a recipient of retirement benefits not exceeding \$150.00 per month, if single, or \$250.00 per month if married.

“Provided such owner and occupier is not gainfully employed to such an extent as would render him or her ineligible for social security benefits, should he or she be otherwise eligible for such benefits, and does not have income from all sources, excluding retirement benefits as mentioned in (4) hereinabove, in excess of \$1,500.00 per year.”

And further move to amend Section 1 by striking out in line 94, page 4 of the printed bill, after the word “be” the word “required” this being the first word in line 11, page 4 of the original bill, and inserting in lieu thereof the word “provided”

And further move to amend Section 1 of the printed bill by striking out all of lines 98 and 99 and the words “income producing purposes.” in line 100; being the words “she actually resides in” in line 14 of the original bill and all of lines 15 and 16 in the original bill, and inserting in lieu thereof the words “she actually occupies such improvements with none other than his or her spouse, minor or dependent children, or persons not responsible for all or any part of the financial support of the affiant, and that the improvements are not used for income producing purposes other than such purposes as are normally permitted in or on such improvements, with right of the County Welfare Board to investigate the applicant, on the completion of the form, as to answers given on the form.”

And further move to amend Section 1 by adding in line 102, page 5 of the printed bill, being line 18 on page 4 of the original bill, after the word “widow” the words “or widower”

Move to amend Section 2 by striking out in line 16, page 6 of the printed bill, being line 4, page 5 of the original bill, the words and figures “Fifteen” “(15%)” and inserting in lieu thereof the word and figure “Twenty” “(20%)”

And as amended, do pass.

That House Bill No. 185 do pass.

That House Bill No. 203 do pass.

That House Bill No. 29 do pass.

That House Joint Resolution No. 19 do pass.

That House Bill No. 265 do pass.

That House Bill No. 181 do pass.

That House Bill No. 191 do pass.

That House Bill No. 155 do pass.

That House Bill No. 249 do pass.

That House Bill No. 281 do pass.

That House Bill No. 152 do pass.

That the Committee rise and report.

HANKS, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

Motion was made by Cerovski that Third Reading of Bills be passed until the afternoon sitting. Motion carried.

UNFINISHED BUSINESS

January 30, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 58, 59, 103 and 106 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:15 o'clock, a. m., delivered to the Governor for his approval.

HARPER, Chairman.

Motion was made by Cerovski that the House recess until 2:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

REPORTS OF STANDING COMMITTEES

January 30, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolution No. 15 and House Bills Nos. 85, 130, 37, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

January 30, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolution No. 19, House Bills Nos. 29, 152, 155, 181, 185, 191, 203, 249, 265, and 281.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 be amended as follows:

"46-917. [(a) A question or doubt having arisen as to the intention of the legislature and policy of the state concerning appeals from decisions of the livestock commission of the state of Montana relating to livestock markets, it is hereby declared to be the policy of this state and the intent of the twenty-ninth and thirtieth legislative assemblies that such appeals should be heard solely upon the record of the proceedings before the commission in the matter in which the appeal is taken.]

[(b)] If the commission shall refuse to grant an application for a certificate or shall suspend or revoke a certificate the applicant or licensee may [appeal to] "obtain court review and seek relief by a suit for an injunction against the commission as defendant in" the district court of the county in which the proposed livestock market is to be located or in which the licensee has his principal place of business." [by giving notice of such appeal in writing to the commission within ten (10) days after receiving notice by registered mail of its decision and within said time filing a bond with the clerk of said district court in the sum of three hundred (\$300.00) to be approved by the judge of said court, conditioned to pay all costs that may be awarded against such appellant in the event of an adverse decision or the decision of said commission being affirmed or upheld. Within thirty (30) days after such decision or within such additional time as the district court shall allow upon good cause shown, but not exceeding

sixty (60) days after said decision, appellant shall file with the clerk of said district court a transcript of the testimony and proof presented to the commission including notice of appeal, complaint, pleadings, notices, motions and other papers filed in the cause with the commission certified by the secretary of the commission. Cost of preparing such transcript shall be paid by appellant. In case of suspension or revocation of a certificate the filing of such notice and bond shall stay the order of the commission until the final determination of the appeal. If the appellant should fail to perfect his appeal or file said transcript as herein provided said stay shall automatically terminate. The trial shall be had summarily before the district court upon the record of the evidence presented to the commission of which a complete record must be kept of the hearings of the commission as shown by said transcript and the exhibits, if any, presented to the commission and certified by the secretary of the said commission, and upon which its decision was rendered and there shall not be any additional evidence introduced or anything in the nature of a trial de novo. The court shall not substitute its discretion for that of the commission but shall determine whether the commission acted capriciously, arbitrarily, or abused its discretion and whether it acted according to law.] "Such suit shall be given a preferential setting, and shall be tried de novo and disposed of as an ordinary civil suit, and not upon the record of any hearing or hearings before the commission." Appeals from judgments of the district court may be taken to the supreme court in the same manner as appeals are taken in civil actions."

(Material in brackets deleted.)

And, as amended, do not pass.

JUDGE, Chairman.

Motion was made by Judge that the committee report be adopted. Substitute motion was made by Deschamps that House Bill No. 26 as amended, be printed and placed on Second Reading. Lucas requested a roll call vote, with the ayes and nays to be spread on the Journal. Substitute motion was lost by the following vote:

Ayes: Aasheim, Bardanouve, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Flynn, Gilfeather, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Jensen, Johnson, Lewis, Lombardi, McNamara, McOmber, Meccage, Nefzger, O'Hair, O'Leary, Prevost, Raundal, Sartz, Scherf, Shugrue, Slaby, Stranahan, Tooke, Tracy, Twedt, Watt, Zimmer. Total 38.

Noes: Asbjornson, Bailey, Bashor, Bollinger, Broeder, Casey, Crum, Delano, East, Falkenstern, Felt, Fischer, Garrison, Gerke, Gill, Hanks, Jenkins, Judge, Laas, Leuthold, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, Nelson, Nichols, Nutting, Obstarczyk, Pierce, Rehberg, Rygg, Schepens, Schye, Selstad, Sheehy, Smiley, Smith, Spilde, Swanz, Ulmer, Williams, Woodard, Mr. Speaker. Total 45.

Absent or not voting: Eskildsen, Sullivan, Willits. Total 3.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James, Loman. Total 8.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do not pass.

JUDGE, Chairman.

Motion was made by Judge that the committee report be adopted. Substitute motion was made by Wayrynen that House Bill No. 219 be printed and placed on Second Reading. Substitute motion carried.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 440, respectfully report as follows: That House Bill No. 440 do not pass.

JUDGE, Chairman.

Motion was made by Judge that the committee report be adopted. Substitute motion was made by Felt that House Bill No. 440 be printed and placed on Second Reading. Substitute motion carried.

January 30, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 290 beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 16, respectfully report as follows: That House Joint Resolution No. 16 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 17, respectfully report as follows: That House Joint Resolution No. 17 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 284, respectfully report as follows: That House Bill No. 284 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 255 be amended in the original bill as follows:

In line 11, Section 2, insert after the word "employed" the words "and compensated"; and beginning in line 12, delete the words "and compensated for services rendered by the State of Montana, any of its subdivisions or agencies,".

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 be amended in the original bill as follows:

Amend the title on line 7 by deleting the comma after "11-2025" and inserting the word "and"; and by deleting the words "and 11-2030";

And further amending the title by deleting the material on lines 12 through 17, and through the semicolon on line 18;

And further amend the roginal bill on page 9 by striking section 6 in its entirety, and by renumbering the remaining sections accordingly.

And as amended, do pass.

ESKILDTSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 be amended by adding, after the title, "and containing an effective date and containing an expiration date"; amend section 1 by inserting in line 27, page 1 of the original bill, after the word "persons", the words "not to exceed two in number"; also amend section 5, page 2, line 27 of the original bill by striking the words "one emergency does not exceed two (2) mills" and inserting in lieu thereof "emergencies as set forth in this Act not exceed two (2) mills in any one year"; and further amend by adding on line 3, page 3, of the original bill the following, "Section 8. This act shall be in force and effect until December 31, 1967".

And as amended, do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234, do not pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215, referred to Ways and Means Committee.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation having had under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 465, respectfully report as follows: That House Bill No. 465 do not pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 be amended as follows:

Be amended by deleting the word "Unless" in section 2., line 29 of the original bill and inserting in lieu thereof the word "If" and by deleting the word "object" on line 30 of the original bill and inserting in lieu thereof the word "consent".

And as amended, do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do not pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 be referred to the Appropriations Committee.

AASHEIM, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

January 30, 1965

Report to the House:

The Reapportionment Committee wishes to report that it intends, if possible, to adopt by final vote a plan for reapportionment of both the House and Senate on February 5, 1965.

The Committee is doing this because it is necessary for us, under joint rules, to transmit our bills to the Senate on or before the 42nd day. This rule has not been suspended and for all practical purposes the House must act before that time under the present rules.

The Committee therefore advises the members of the House that if any member has any additional plans for reapportionment, they should be introduced forthwith so that they might be considered before February 5, 1965.

With respect to congressional redistricting, there will be a public hearing in the House Chambers at 4:00 p.m. (or after adjournment, whichever is later) on Wednesday, February 3, 1965, at which time all bills for congressional redistricting will be considered and witnesses heard.

John C. Sheehy, Chairman
Reapportionment Committee

MESSAGES FROM THE GOVERNOR

January 30, 1965 @ 10:15 a.m.

Received from Warren Harper, Chairman, Bills Committee, House Bills No. 58, 59, 103, and 106.

TIM BABCOCK, GOVERNOR

by Jeanie Morris

January 30, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and

history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 64, introduced by Cotton, et al.

Senate Bill No. 83, introduced by Harris, et al.

Senate Bill No. 84, introduced by Dussault and Cumming.

Senate Bill No. 155, introduced by Kafka, et al.

Senate Bill No. 211, introduced by Rieder, et al.

Senate Joint Resolution No. 1, introduced by Rostad, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 30, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 23, introduced by Gerke, et al, was this day read third time and passed, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

January 30, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate Committee on Rules recommend that House Joint Resolution No. 5, introduced by Judge, et al, be not concurred in, report adopted and the same is hereby returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Fischer that House Bill No. 440 be taken from Printing and Second Reading and referred to Committee on Ways and Means. Motion carried.

Motion was made by Bashor that House Bill No. 376 be taken from the Committee on Public Health and rereferred to Committee on Labor and Compensation. Motion carried.

Motion was made by Aasheim that House Bill No. 245 be taken from the Committee on Ways and Means and rereferred to Constitutions, Elections and Federal Relations. Motion carried.

Cummings, having voted on the prevailing side on the previous action taken on House Joint Resolution No. 19, moved that the House reconsider its action taken at a previous sitting by the Committee of the Whole.

Substitute motion was made by Judge to lay on the table the motion by Cummings that the House reconsider its action regarding House Joint Resolution No. 19. Discussion followed. Motion was made by Aasheim for a one minute recess. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Cummings, having voted on the prevailing side on the previous action taken on House Joint Resolution No. 19, moved that the House reconsider its action. Motion was lost by the following vote:

Ayes: Aasheim, Bashor, Bollinger, Cerovski, Christiansen, Cummings, Egan, Eklund, Eskildsen, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Harper, Healy, Holtz, Judge, Laas, Lewis, Lombardi, McNamara, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Willits, Zimmer, Mr. Speaker. Total 42.

Noes: Asbjornson, Bailey, Bardanoue, Broeder, Casey, Crum, Delano, Deschamps, East, Falkenstern, Felt, Fischer, Flynn, Garrison, Hall, Hanks, Jenkins, Jensen, Johnson, Leuthold, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smith, Spilde, Stranahan, Swanz, Tookey, Ulmer, Watt, Williams, Woodard. Total 43.

Absent or not voting: Loman, Smiley. Total 2.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

January 30, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 30.

HARPER, Chairman.

FIRST READING AND COMMITMENT OF BILLS

The following Senate Bills were introduced, read first time, and referred to committees:

Senate Joint Resolution No. 1, introduced by Rostad, Beley, Dussault, Hilling, Moritz, Thomas, Reardon: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting that the Legislative Council conduct a comprehensive study of retirement systems for policemen and firemen in the state, and submit a written report of their findings together with any necessary recommendations and implementing legislation to the Fortieth Legislative Assembly. Referred to Committee on Affairs of Cities.

Senate Bill No. 64, introduced by Cotton, Michels, Hibbard, Edwards: A bill for an act entitled: "An act amending section 25-508, R.C.M. 1947, to increase the number of employees and school board members whose expenses to attend meetings of educational associations may be paid; providing for a savings clause; and providing for an effective date." Referred to Committee on Education.

Senate Bill No. 83, introduced by Harris, Holt, O'Neill: A bill for an act entitled: "An act providing for the protection of the public health by authorizing the State Board of Health to control public swimming pools and bathing places, definitions authorizing the State Board of Health to supervise public swimming pools and bathing places, requiring plans to be filed with the State Board of Health and approval obtained before construction, requiring pools and bathing places to be operated in a sanitary, healthful and safe manner, authorizing the State Board of Health to make and enforce rules and regulations, authorizing county health officials to enforce rules and regulations of the State Board of Health, authorizing inspection, authorizing publication of reports of inspection, declaring pools and bathing places operating contrary to the provisions of this act a nuisance, authorization of nuisance abatement, setting for the penalties, repealing all acts or parts of acts in conflict with this act." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 84, introduced by Dussault, Cumming: A bill for an act entitled: "An act amending section 93-1906, R.C.M. 1947, increasing the annual salaries of Court Reporters from six thousand six hundred dollars (\$6,600.00) to seven thousand eight hundred dollars (\$7,800.00)."

Referred to Committee on Judiciary.

Senate Bill No. 155, introduced by Kafka, Haferman, Ullom, Huntley, O'Neill, Groff, Hibbard: A bill for an act entitled: "An act to amend section 26-105, R.C.M., 1947, providing an increase in the total annual amount of per diem allowed for the members and chairman of the Montana Fish and Game Commission." Referred to Committee on Fish and Game.

Senate Bill No. 211, introduced by Rieder, Huntley, Melcher, Hafferman, Brenner: A bill for an act entitled: "An act to amend section 26-202.1, R.C.M., 1947, relating to fish and game licenses, by deleting reference to bear in the resident game bird license, granting permission to hunt bear with all game animal licenses, and by restricting nonresident hunting of game animals to areas designated by the commission." Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading and that each speaker upon a motion be limited to five minutes, no member to speak more than once upon a motion, except the maker of the motion, who shall have an extra five minutes to close. Motion carried.

Hanks of Gallatin in the Chair. Committee arose.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Joint Resolution No. 36 do pass.

That House Bill No. 262 do pass.

That House Bill No. 71 be passed for the day.

That Senate Joint Resolution No. 5 be concurred in.

HANKS, Chairman.

Motion was made by Hanks for the adoption of the report.

Substitute motion was made by Sheehy that Senate Joint Resolution No. 5 be segregated from the Committee of the Whole report, that a roll call vote be taken and the results spread on the Journal. Sufficient seconds arose, and the substitute motion lost by the following vote:

Ayes: Bardanouve, Cerovski, Christiansen, Cummings, Egan, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Johnson, Judge, Lombardi, McDonald, McNamara, Obstarczyk, O'Leary, Prevost, Sartz, Schepens, Scherf, Sheehy, Shugrue, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 37.

Noes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Broeder, Casey, Crum, Delano, Deschamps, East, Eklund, Falkenstern, Felt, Garrison, Harper, Jenkins, Jensen, Laas, Leuthold, Lewis, Lucas, Lund, MacCalman, Mather, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Raundal, Rehberg, Rygg, Schye, Selstad, Smith, Spilde, Strananhan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 47.

Absent or not voting: Loman, Slaby, Smiley. Total 3.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 123, was passed by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Asbjornson. Total 1.

Absent or not voting: Loman, Slaby, Smiley. Total 3.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 124 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Loman, Slaby, Smiley. Total 3.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 177 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Loman, Scherf, Slaby, Smiley. Total 4.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 183 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Loman, Slaby, Smiley. Total 3.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 182 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Loman, Slaby, Smiley. Total 3.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 184 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Loman, MacCalman, Slaby, Smiley. Total 4.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 186 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Des-

champs, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rheberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smith Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Wililams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Gerke, Loman, Slaby, Smiley. Total 4.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 201 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Deschamps, Flynn, McOmber, Raundal. Total 4.

Absent or not voting: Loman, Slaby, Smiley. Total 3.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 247 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Loman, Slaby, Smiley, Gilfeather. Total 4.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

THIRD READING OF SENATE BILLS

The following Senate bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 8 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Des-

champs, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gill, Gililgan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Shehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Schye. Total 1.

Absent or not voting: Fischer, Loman, Slaby, Smiley. Total 4.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

Senate Bill No. 35 was concurred in by the following vote:

Ayes: Asbjornson, Bailey, Bashor, Bollinger, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Jenkins, Judge, Lucas, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rehberg, Rygg, Sartz, Schepens, Schye, Sheehy, Smith, Spilde, Sullivan, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 58.

Noes: Aasheim, Bardanouve, Broeder, East, Egan, Flynn, Garrison, Harper, Jensen, Johnson, Laas, Leuthold, Lewis, Lombardi, MacCalman, Mather, Nefzger, Pierce, Raundal, Selstad, Shugrue, Stranahan, Swanz, Twedt, Willits. Total 25.

Absent or not voting: Loman, Scherf, Slaby, Smiley. Total 4.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

Senate Joint Resolution No. 4 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Garrison, Hanks, Harper, Jenkins, Jensen, Laas, Leuthold, Lewis, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schye, Selstad, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 56.

Noes: Flynn, Gerke, Gilfeather, Gunderson, Hall, Healy, Holtz, Johnson, Judge, Lombardi, McNamara, Obstarczyk, O'Leary, Schepens, Scherf, Shehy, Shugrue, Sullivan, Tracy, Watt, Willits, Zimmer, Mr. Speaker. Total 23.

Paired: Smiley, aye; Twedt, no; James, aye; Cerovski, no; Dye, aye; Gill, no; Loman, aye; Gilligan, no; Boughton, aye; Fischer, no. Total 10.

Absent or not voting Slaby. Total 1.

Excused: Atkins, Brenner, Cregg, Haines. Total 4.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

House Bill No. 30 was passed by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Deschamps, Egan, Eklund,

Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Mather, McDonald, McNamara, McOmber, Meece, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Sullivan, Swanz, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 62.

Noes: Asbjornson, Crum, East, Falkenstern, Felt, Garrison, Leuthold, Lucas, Lund, MacCalman, McNamer, Pierce, Rehberg, Schye, Selstad, Smith, Spilde, Stranahan, Tooke, Ulmer, Wililams, Woodard. Total 22.

Absent or not voting: Loman, Slaby, Smiley. Total 3.

Excused: Atkins, Boughton, Brenner, Cregg, Dye, Haines, James. Total 7.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Monday, February 1, 1965.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

TWENTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 1, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Boughton, Dye, James, Loman, O'Hair, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-seventh Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

January 30, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 290, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 1, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 361, 128, 219, 9, 157, 298, 352, 149, 179, 213, 171, and House Joint Resolution No. 30, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do not pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Joint Resolution No. 35, respectfully report as follows: That House Joint Resolution No. 35 do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 272, respectfully report as follows: That House Bill No. 272 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 be amended to read as follows:

Delete the words "Sheehy, Obstarczyk, Willits, Deschamps" on line 2, page 1 of the original bill;

And further amended:

Insert the words "Ways and Means Committee" on line 2, page 1 of the original bill after the words "Introduced by"

And as amended, do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 do not pass.

HEALY, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

The following House Resolution was introduced, read first time, and referred to Committee:

House Resolution No. 8, introduced by Bollinger, Bailey, Deschamps, O'Hair, Prevost, Gilligan, Schepens, Nefzger, Wayrynen, Raundal, Cummings, Meccage, Christiansen, Gill, Obstarczyk, McNamara, Lewis, Judge, Sartz, Brenner, Watt, Slaby, Flynn, Egan, Lund, Casey, McDonald, Hall, Ashjornson, Spilde, Garrison, Smith, Nichols, Selstad, Nelson, Rygg: A Resolution of the House of Representatives requesting that a comprehensive study be conducted by the Legislative Council to determine the best utilization of the facilities at Glasgow air force base for the benefit of the people of Montana, and report its findings and recommendations, together with any legislation deemed necessary, to the Fortieth Legislative Assembly. Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading under the rules of the previous sitting. Motion carried.

Bollinger of Valley in the Chair. Committee arose.

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 71 do pass.

That consideration of House Bill No. 120 be passed for this sitting.

That House Bill No. 250 do pass.

That consideration of House Bill No. 258 be passed for this sitting.

That consideration of House Bill No. 259 be passed for this sitting.

That House Bill No. 363 do pass.

That the Committee rise and report.

BOLLINGER, Chairman.

Report adopted.

February 1, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 23.

HARPER, Chairman.

I have examined House Bill No. 23, introduced by me and find the same to be correct.

GERKE.

The Speaker signed House Bill No. 23 in open session, the title having first been read.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 132 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenn, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eglund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: MacCalman, Mather. Total 2.

Absent or not voting: Laas. Total 1.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 29 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Eklund, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer,

McOmber, Meccage, Nefzger, Nelson, Nichols, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 71.

Noes: Broeder, Casey, Deschamps, East, Egan, Eskildsen, Falkenstern, Garrison, Jenkins, Johnson, MacCalman, Nutting, Obstarczyk, Rygg, Smith, Spilde, Stranahan, Zimmer. Total 18.

Absent or not voting: None.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 152 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: East, Garrison, Jenkins, Nutting, Smiley, Smith, Spilde. Total 7.

Absent or not voting: None.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 155 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Cerovski, Christiansen, Cummings, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 58.

Noes: Broeder, Casey, Cregg, Crum, Delano, Deschamps, East, Falkenstern, Felt, Garrison, Jenkins, Jensen, Leuthold, Lucas, Lund, MacCalman, Mather, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Ulmer, Williams, Woodard. Total 31.

Absent or not voting: None.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 181 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley,

Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Scherf. Total 1.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 185 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Deschamps, Scherf. Total 2.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 191 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 76.

Noes: East, Felt, Garrison, Jenkins, Jensen, Mather, Nutting, Pierce, Selstad, Smiley, Smith, Woodard. Total 12.

Absent or not voting: Scherf. Total 1.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 203 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 83.

Noes: Felt, Tracy, Mr. Speaker. Total 3.

Absent or not voting: Cregg, Holtz, Scherf. Total 3.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 249 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: None.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 265 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Felt, Haines, Jensen, Laas, Schye, Selstad, Smiley, Ulmer. Total 8.

Absent or not voting: None.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Bill No. 281 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 74.

Noes: Garrison, Gill, Harper, Lucas, Nefzger, Nichols, Scherf, Smiley, Smith, Stranahan, Ulmer, Woodard. Total 12.

Absent or note voting: Aasheim, East, Rygg. Total 3.

Excused: Boughton, Dye, James, Loman, O'Hair. Total 5.

House Joint Resolution No. 19 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bollinger, Brenner, Broeder, Casey, Cregg, Crum, Deschamps, East, Eklund, Falkenstern, Felt, Flynn, Garrison, Haines, Hall, Hanks, Harper, Jenkins, Jensen, Johnson, Leuthold,

Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Raundal, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Ulmer, Williams, Woodard. Total 46.

Noes: Aasheim, Atkins, Bashor, Cerovski, Christiansen, Delano, Egan, Eskildsen, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Healy, Holtz, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, Nefzger, Obstarczyk, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 41.

Paired: Tooke, aye; O'Hair, no.

Absent or not voting: Cummings. Total 1.

Excused: Boughton, Dye, James, Loman. Total 4.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Joint Resolution No. 5 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Broeder, Casey, Crum, Cummings, Delano, Deschamps, East, Egan, Falkenstern, Felt, Garrison, Haines, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Pierce, Raundal, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Ulmer, Williams, Woodard. Total 49.

Noes: Bardanouve, Brenner, Cerovski, Christiansen, Cregg, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Lombardi, McDonald, McNamara, Obstarczyk, O'Leary, Prevost, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 38.

Paired: Tooke, aye; O'Hair, no. Boughton, aye; Fischer, no.

Absent or not voting: None.

Excused: Dye, James, Loman. Total 3.

Motion was made by Cerovski that the House recess until 2:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 1, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolution No. 16 and House Bills Nos. 374, 284, 308, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 1, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 23 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 2:05 o'clock p. m., delivered to the Governor for his approval.

HARPER, Chairman.

February 1, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 250, 262, 363, 71 and House Joint Resolution No. 36.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 was properly handled.

CEROVSKI, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 1, 1965 at 2:05 p.m.

Received from Warren Harper, Chairman Bills Committee, House Bill No. 23.

TIM BABCOCK, Governor,

By Jeanie Morris.

MESSAGES FROM THE SENATE

February 1, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 53, introduced by Beck and Nixon.

Senate Bill No. 86, introduced by Cumming and Turnage.

Senate Bill No. 128, introduced by O'Neill, et al.

Senate Bill No. 132, introduced by Michels and Moritz.

Senate Bill No. 137, introduced by O'Neill.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 1, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 77, introduced by O'Hair, et al, was this day read third time and passed, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Hall that House Bills Nos. 258 and 259 be taken from Second Reading and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Felt that House Bill No. 440 be taken from the Committee on Ways and Means and rereferred to the Committee on Judiciary. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 128, introduced by O'Neill, Reardon, Davis, Kafka, Dus-sault, Cumming, Moritz, Killenbeck: A bill for an act entitled: "An act requiring a test for phenylketonuria to infant children and empowering the State Board of Health to adopt necessary rules and regulations." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 53, introduced by Beck, Nixon: A bill for an act entitled: "An act to amend Section 59-701, R. C. M. 1947, requiring the trial balances at the close of each fiscal year of the accounts of each state office, department, bureau, commission, institution, university unit, and agency be transmitted to the State Examiner." Referred to Committee on State Administration.

Senate Bill No. 86, introduced by Cumming, Turnage: A bill for an act entitled: "An act to amend Section 68-501 of the Revised Codes of Montana, 1947, paragraph (F), relating to the Public Employees' Retirement System, credit allowance for service performed in national defense; repealing all acts or parts of acts in conflict herewith; providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 132, introduced by Michels, Moritz: A bill for an act entitled: "An act for the assessment and collection of personal property taxes on proportionally registered interstate motor vehicle fleets; providing a formula for computing a state-wide average county mill levy; and providing the method for the distribution of this tax to the counties." Referred to Committee on Highways.

Senate Bill No. 137, introduced by O'Neill: A bill for an act entitled: "An act amending Section 69-3203, R. C. M. 1947, to permit the State Board of Health to provide services to children afflicted with or suffering from cystic fibrosis." Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading under the rules of the previous sitting. Motion carried.

Bollinger of Valley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 120 be indefinitely postponed.

That House Bill No. 74 be amended as follows:

Amend Section 1 by striking out in lines 18, 19 and 20 of the original bill, the last sentence of said section beginning with the word "The" and ending with the word "persons".

And, as so amended, do pass.

That House Bill No. 147, do pass.

That House Bill No. 81 do pass.

That House Joint Resolution No. 33 do pass.

That consideration of House Joint Resolution No. 6 be passed for this sitting.

Mr. Wayrynen in the Chair, for consideration of House Joint Resolution No. 15.

That House Joint Resolution No. 15 do pass.

That House Bill No. 85 do pass.

That House Bill No. 130 do pass.

That the Committee rise and report.

WAYRYNEN, Chairman.
BOLLINGER, Chairman.

Motion was made by Bollinger that the report be adopted. Substitute motion was made by Sheehy that House Bill No. 120 be segregated from the Committee of the Whole report and rereferred to the Committee on Business and Industry. Bashor requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose. Substitute motion failed by the following vote:

Ayes: Ashbjornson, Bailey, Bashor, Broeder, Crum, Delano, Deschamps, East, Falkenstern, Felt, Fischer, Garrison, Gerke, Gill, Healy, Jenkins, Jensen, Judge, Leuthold, Loman, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamer, Nutting, O'Leary, Pierce, Rehberg, Rygg, Schye, Selstad, Sheehy, Shugrue, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Williams, Woodard, Mr. Speaker. Total 44.

Noes: Aasheim, Atkins, Bardanouve, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Egan, Eklund, Eskildsen, Flynn, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Holtz, Johnson, Laas, Lewis, Lund, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, Prevost, Raundal, Sartz, Schepens, Scherf, Slaby, Stranahan, Tracy, Ulmer, Watt, Willits. Total 44.

Absent or not voting: Zimmer. Total 1.

Excused: Boughton, Dye, James, O'Hair, Twedt. Total 5.

Report adopted.

Jensen requested that the House revert to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Motion was made by Jensen that House Bill No. 454 be taken from Committee on Highways and rereferred to Committee on Affairs of Cities. Motion carried.

Motion was made by Jensen that House Bill No. 455 be taken from Committee on Highways and rereferred to Committee on Affairs of Cities. Motion carried.

Motion was made by Jensen that House Bill No. 456 be taken from Committee on Ways and Means and rereferred to Committee on Affairs of Cities. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Tuesday, February 2, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

THIRTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 2, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Boughton, Dye, Fischer, Tooke, Zimmer, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Twenty-ninth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 1, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 409, 222, 102, 434, 255, 134, 21, 261 and House Joint Resolution No. 17, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 be amended in the original bill as follows:

In Section 3, line 2 on page 2 by striking the word "reports".

And as amended do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 do not pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 be amended in the original bill as follows:

On line 18 and line 19 of page 1, by striking the words "six hundred twenty five dollars (\$625.00)" and inserting therefor the words "Five hundred seventy five dollars (\$575.00)".

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health Welfare and Safety, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health Welfare and Safety, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health Welfare and Safety, having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 be referred to the Appropriations Committee.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 444, respectfully report as follows: That House Bill No. 444 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349 do not pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do pass.

AASHEIM, Chairman.

Motion was made by Aasheim that the Committee report be rejected. As a substitute motion, Aasheim moved that the Chairman of the Education Committee appoint a committee of three who shall report to the assembly by February 12, which report shall summarize the activities of the Montana High School Association, analyze those activities, and make recommendations for further action. Substitute motion for all motions pending was made by Cerovski that the matter be referred to the Rules Committee. Motion carried.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration a point of order on (1) additional time for debate in the Committee of the Whole other than what is provided under the rules, and (2) the propriety of questions addressed by any member to another member, respectfully report as follows: That

(1) a member seeking additional time shall address the chair and ask for such additional time at which time the chair will ask the members of

the assembly if there is any objection. If there is any objection, additional time will not be granted.

(2) That questions may be asked by one member of another member but only after addressing the chair asking permission to ask a question. A member may not, in asking a question, make a statement of fact. A member may not in asking a question obviate the purpose of the 5 minute rule in the Committee of the Whole.

Do pass.

CEROVSKI, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 1, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 58—Introduced by Judge and Pierce.

House Bill No. 59—Introduced by Pierce and Judge.

House Bill No. 103—Introduced by Appropriations Committee.

House Bill No. 106—Introduced by Appropriations Committee.

Sincerely yours,

TIM BABCOCK, Governor.

MOTIONS AND RESOLUTIONS

Nichols, having voted on the prevailing side on previous action taken on House Bill No. 120, moved that the House reconsider its previous action. Substitute motion was made by Aasheim that the previous motion be laid on the table and requested a Call of the House and a roll call with the results thereof to be spread on the Journal. Sufficient seconds arose.

Aasheim requested a Call of the House and, there being sufficient seconds, the Speaker ordered a Call of the House. After roll call and progress having been made, Aasheim moved the Call of the House be dispensed with. Motion carried. Roll call vote was taken and the substitute motion carried by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Flynn, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Holtz, Johnson, Laas, Lewis, Lombardi, Lund, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, Prevost, Raundal, Sartz, Schepens, Scherf, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Williams, Willits. Total 52.

Noes: Asbjornson, Bashor, Broeder, Crum, Delano, Felt, Garrison, Gerke, Gill, Healy, James, Jenkins, Jensen, Judge, Leuthold, Loman, Lucas, MacCalman, McNamer, Nelson, Nichols, Nutting, O'Leary, Pierce, Rehberg, Rygg, Schye, Selstad, Sheehy, Smiley, Smith, Spilde, Swanz, Woodard, Mr. Speaker. Total 35.

Paired: Ulmer, aye; Tooke, no; Haines, aye; Dye, no.

Absent or not voting: None.

Excused: Boughton, Fischer, Zimmer. Total 3.

Motion was made by Eskildsen that House Bill No. 363 be taken from Third Reading and placed on Second Reading. Motion carried.

Motion was made by Healy that House Bill No. 334 be removed from the Committee on Ways and Means and rereferred to Committee on Constitution, Elections, and Federal Relations. Motion carried.

Motion was made by Healy that House Bill No. 335 be taken from the Committee on Ways and Means and rereferred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Felt of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Joint Resolution No. 6 do pass.

That House Bill No. 37 do pass.

That House Bill No. 290 do pass.

That House Bill No. 361 do pass.

That House Bill No. 128 do pass.

That consideration of House Bill No. 219 be passed for this sitting.

That consideration of House Bill No. 9 be passed for the day.

That House Bill No. 157 do pass.

That consideration of House Bill No. 298 be passed for the day.

That consideration of House Bill No. 352 be passed for the day.

That House Bill No. 149 do pass.

That consideration of House Bill No. 179 be passed for this sitting.

That House Bill No. 213 do pass.

That House Bill No. 171 do pass.

That the Committee rise and report.

FELT, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 250 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bollinger, Brenner, Broeder, Casey, Cerovski, Clegg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas,

Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 82.

Noes: Bardanouve, Bashor. Total 2.

Absent or not voting: Christiansen, Garrison, Loman, McOmber, Pierce. Total 5.

Excused: Boughton, Dye, Fischer, Tooke, Zimmer. Total 5.

House Bill No. 262 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 81.

Noes: Haines. Total 1.

Absent or not voting: Christiansen, Loman, McOmber, Pierce, Rygg, Scherf, Smiley. Total 7.

Excused: Boughton, Dye, Fischer, Tooke, Zimmer. Total 5.

House Bill No. 71 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 52.

Noes: Asbjornson, Broeder, Casey, Crum, Delano, East, Egan, Falkenstern, Garrison, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Nelson, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Ulmer, Williams, Woodard. Total 35.

Paired: Zimmer, aye; Felt, no.

Absent or not voting: Sheehy. Total 1.

Excused: Boughton, Dye, Fischer, Tooke. Total 4.

House Joint Resolution No. 36 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby,

Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 88.

Noes: Jensen. Total 1.

Absent or not voting: None.

Excused: Boughton, Dye, Fischer, Zimmer, Tooke. Total 5.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 2, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 77.

HARPER, Chairman.

I have examined House Bill No. 77 introduced by me and find the same to be correct.

O'HAIR.

The Speaker signed House Bill No. 77 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration House Bill No. 264 concerning the propriety of an Education Committee report and its adoption, respectfully report as follows: That House Bill No. 264 and the Education Committee report be placed before the house for its consideration.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do pass.

WATT, Vice-Chairman.

Motion was made by Watt that the committee report be adopted.

Substitute motion was made by Aasheim that House Bill No. 264 do not pass, and further move the Chairman of the Education Committee appoint a committee of three who shall report to the assembly by February 12, which report shall summarize the activities of the Montana High School Association, analyze those activities, and make recommendations for further action. Substitute motion carried.

February 2, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bill No. 77, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 o'clock p.m., delivered to the Governor for his approval.

HARPER, Chairman.

February 2, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 130, 81, 85, 147, 74,

House Joint Resolutions Nos. 15 and 33, House Bills Nos. 213, 37, 361, 171, House Joint Resolution No. 6, House Bills Nos. 157, 149, 128, 290.

JAMES, Vice-Chairman.

February 2, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 273 and House Joint Resolution No. 35, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 473, respectfully report as follows: That House Bill No. 473 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 294 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 be amended as follows:

Delete lines 22 and 23 in their entirety on page 1 of the original bill.

On line 24 of the original bill, page 1, change the numeral "(2)" to read "(1)".

On line 26 of the original bill, page 1, change the numeral "(3)" to read "(2)".

On line 29 of the original bill, page 1, change the numeral "(4)" to read "(3)".

Delete the word "ashes" in line 27, on page 1 of the original bill.

Delete the word "ashes" in line 29, on page 1 of the original bill.

Delete the word "ashes" in line 1, on page 2 of the original bill.

Delete the word "ashes" in line 3, page 3 of the original bill.

And as amended, do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 be amended as follows:

Delete the words "authorized advanced" on page 1, line 17 of the original bill and insert in lieu thereof the word "qualified".

And as amended, do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 be amended as follows:

Strike out quotation mark and colon after the word "act" on line 9, page 1 of the original bill and insert the words "and providing for an appropriation."

And further be amended as follows:

Strike out subsections 1, 2, 3 and 4 in Section 1 on lines 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25, page 2 of the original bill, and inserting in lieu thereof the following subsections:

"1. Upon each wholesale distributor or dealer who is authorized by the board to use a tax stamping meter machine, as provided in Section 84-5609, and upon every dealer or person who owns, operates or controls one or more cigarette vending machines within the state of Montana, the annual license fee shall be two hundred dollars (\$200.00), and providing that every such dealer or person operating vending machines shall register with the board the identifying number, description and location for each machine within thirty (30) days after establishing its location, and further providing that an annual registration be filed with the board of all machines, with identifying numbers, descriptions and locations, within thirty (30) days after the start of each administrative year.

"2. Upon every retail dealer who sells cigarettes manually, without vending machine(s), the annual license fee shall be five dollars (\$5.00) for each premise and for each separate premise, operated or controlled by the same person or company.

"3. Upon each distributor and dealer, not hereinabove covered, the annual license fee shall be one hundred dollars (\$100.00).

And further be amended as follows:

Amend line 14, page 4 of the original bill by inserting the following:

"Section 4. (1) There is created within the earmarked revenue fund a cigarette sales account for the period July 1, 1965 to June 30, 1967. The first thirty-five thousand (\$35,000) dollars received under this act for each fiscal year of this period shall be deposited to this account. The amount exceeding thirty-five thousand (\$35,000) dollars for each fiscal year of this period shall be deposited to the general fund. After June 30, 1967, all revenue received under this act shall be deposited to the general fund.

(2) The following moneys are appropriated for the biennium ending June 30, 1967:

BOARD OF EQUALIZATION

- (a) From the earmarked revenue fund, cigarette sales account,
 For the fiscal year ending June 30, 1966\$35,000.
 For the fiscal year ending June 30, 1967\$35,000.

(3) It is the intent of the legislature that after the 1965-67 biennium, the budget director budget for the administration of the "Montana Cigarette Sales Act."

And further be amended as follows:

Strike out figure 4 after word "Section" on line 14, page 4 of the original bill and insert in lieu thereof the figure "5".

And further be amended as follows:

Strike out the figure "5" after the word "Section" on line 17, page 4 of the original bill and insert the figure "6" in lieu thereof.

And as amended, do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 be amended as follows:

Strike out the following words, figure and punctuation:

[Section 8. This act shall be in full force and effect from and after its passage and approval.] which appear on lines 27 and 28, page 2 of the original bill.

And as amended, do pass.

(Brackets denote portion stricken.)

LOMBARDI, Chairman.

Motion was made by Lombardi for adoption of the committee report. Substitute motion was made by Mather that House Bill No. 96 do not pass, and that a roll call vote be taken with the results thereof to be spread on the Journal. Substitute motion carried by the following vote:

Ayes: Asbjornson, Bailey, Bollinger, Broeder, Casey, Christiansen, Crum, Delano, Deschamps, East, Eklund, Eskildsen, Falkenstern, Felt, Garrison, Gill, Haines, Hall, Harper, James, Jenkins, Jensen, Judge, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Mc-

Namer, Nefzger, Nelson, Nutting, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schye, Selstad, Smiley, Smith, Stranahan, Swanz, Ulmer, Williams, Woodard. Total 51.

Noes: Atkins, Bardanouve, Brenner, Cerovski, Cregg, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hanks, Healy, Holtz, Johnson, Lewis, Lombardi, McOmber, Obstarczyk, O'Leary, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits. Total 27.

Absent or not voting: Aasheim, Bashor, Cumming, Egan, Meccage, Nichols, Raundal, Schepens, Scherf, Spilde, Mr. Speaker. Total 11.

Excused: Boughton, Dye, Fischer, Tooke, Zimmer. Total 5.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 do not pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 be amended as follows:

Strike out word "Haines" on line 2, page 1, of original bill and strike out word "Judge" on line 3, page 1 of original bill;

And further be amended as follows: Strike out Section 1, lines 10, 11, 12, and 13, page 1, of original bill, in its entirety and insert in lieu thereof the following:

"Section 1. The purpose of this act, is to protect local employees against professional strikebreakers. A professional strikebreaker is defined as a person whose principal source of employment is offering or permitting himself to be offered for employment in place of any employee involved in a labor dispute. Provided that regular management employees shall be excluded from this act."

And further be amended as follows: Strike out Section 2, lines 14, 15, 16, 17, 18, and 19, page 1, of the original bill, in its entirety and insert in lieu thereof the following:

"Section 2. It shall be unlawful for any person, partnership, agency, firm or corporation, or officer, employee or agent thereof, to recruit, procure, supply or refer a professional strikebreaker for employment in place of any employee involved in a labor dispute in which such person, partnership, agency, firm or corporation is not directly involved."

And further be amended as follows: Strike out Section 3, lines 20, 21, 22, 23, 24, 25, 26, 27, and 28, page 1, of original bill, in its entirety and insert in lieu thereof the following:

"Section 3. No person, partnership, firm or corporation involved in a labor dispute shall directly or indirectly (1) knowingly employ in place of an employee involved in such dispute, a professional strikebreaker in place of employees involved in a labor dispute; or (2) knowingly contract

or arrange with any other person, partnership, agency, firm or corporation to recruit, procure, supply, or refer professional strikebreakers for employment in place of employees involved in such labor dispute."

And further be amended as follows: Strike out Section 4, lines 29, 30, 31, and 32, page 1, of original bill, in its entirety and insert in lieu thereof the following:

"Section 4. No professional strikebreaker shall take or offer to take the place in employment of any employee involved in any labor dispute."

And as amended, do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 be referred to the Committee on Constitution, Elections and Federal Relations. We have no legal objection to this bill.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 be amended as follows:

By striking from the title of the original bill, line 6, the words and figures "five hundred dollars, (\$500.00)" and inserting in lieu thereof the words and figures "three hundred dollars (\$300.00)".

And further amended by striking from Section 1, line 13, of the original bill the words and figures "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures "three hundred dollars (\$300.00)".

And be further amended by striking from Section 1 of the original bill, in line 15 thereof, the words "and his" and inserting in lieu thereof the words "in the discretion of the court as".

And further amended by striking from the title of the bill thereof, line 8, the words "and his" and inserting in lieu thereof the words "in the discretion of the court as".

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 430, respectfully report as follows: That House Bill No. 430 be amended as follows:

Page 1, line 12 of the original bill, insert the word "uniformed" between the words "Any" and "sheriff".

And that it be further amended

By deleting all of Section 3 on page 2, lines 4 and 5.

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 431, respectfully report as follows: That House Bill No. 431 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 3, respectfully report as follows: That House Resolution No. 3 be amended as follows:

1. Amend page 1 of the original bill by deleting all the material on lines 12, 13, and 14 and inserting in lieu thereof the following material: "Whereas, through the efforts of the Montana delegation to the United States Congress, particularly the majority leader of the United States Senate, provision was made for the minting of silver dollars, and

2. Amend page 1 of the original bill in line 15 by deleting the "comma" after the word "through" and inserting in lieu thereof a "period".

3. Amend page 1 of the original bill on line 16 by deleting the words "and silver dollars will no longer be used as currency."

4. Amend page 1 of the original bill on line 17 by deleting the word "Senate" and inserting in lieu thereof the word "Congress".

5. Amend page 1 of the original bill by deleting on lines 18, 19 and 20 the words "keep faith with the sovereign state of Montana, and others, and honor its promise to mint and immediately make silver dollars available, and" and inserting in lieu thereof the words "take such steps as may be necessary and proper to ensure the minting and immediate availability of silver dollars, and".

6. Amend page 1 of the original bill by deleting all the material on lines 21, 22, 23, and 24.

And as amended, do pass.

WATT, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 2, 1965 at 2:00 p.m.

Received of Chairman, Bills Committee, Warren Harper, House Bill No. 77.

TIM BABCOCK, Governor,

By Jeanie Morris.

MESSAGES FROM THE SENATE

February 2, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 22, introduced by Lehrkind, et al.

Senate Bill No. 31, introduced by Huntley, et al.

Senate Bill No. 36, introduced by Cole, et al.

Senate Bill No. 68, introduced by Cotton, et al.

Senate Bill No. 112, introduced by Hafferman, O'Neill.

Senate Bill No. 126, introduced by McDonnell, et al.

Senate Bill No. 130, introduced by Harris, et al.

Senate Bill No. 131, introduced by Michels, Moritz.

Senate Bill No. 135, introduced by Mackay, Graham.

Senate Bill No. 140, introduced by Groff.

Senate Bill No. 142, introduced by Hilling.

Senate Bill No. 169, introduced by Dussault.

Senate Bill No. 181, introduced by Turnage.

Senate Bill No. 198, introduced by Turnage.

Senate Bill No. 199, introduced by Turnage.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 2, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 3, introduced by Harper, et al, was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to Committees:

Senate Bill No. 22, introduced by Lehrkind, Groff, Balgord: A bill for an act entitled: "An act to permit the State Board of Land Commissioners to acquire a tract of land which is of archeological, historic or scientific interest and should be preserved for posterity; providing for an effective date." Referred to Committee on State Administration.

Senate Bill No. 31, introduced by Huntley, Nees, Rostad: A bill for an act entitled: "An act to amend Section 84-429.8, R.C.M. 1947, which au-

thorized a tax levy of two (2) mills for a state-wide reclassification and reappraisal of all taxable lands and improvements, by authorizing a levy of not to exceed one (1) mill upon all property subject to taxation for maintaining and keeping current such reclassifications and reappraisal." Referred to Committee on Townships and Counties.

Senate Bill No. 36, introduced by Cole, Gerard, Dussault, Bovey, James, Mackay, Brenner, Beley, Lehrkind, Ullom, Hilling, O'Neill, Huntley, Melcher, Nixon, Moritz, Holt, Hibbard, Anderson, Manning, Mathers: A bill for an act entitled: "An act to create a committee on problems of aging." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 68, introduced by Cotton, Edwards, Bentz: A bill for an act entitled: "An act to amend Section 32-1123 R.C.M. 1947, relating to size and weight of motor vehicles operating over and upon the highways of the state of Montana; providing for the outside width not in excess of ninety-six (96) inches for vehicles; providing for width of buses not in excess of one hundred two (102) inches and excepting implements of husbandry, including haystack movers, moved upon the highway; providing overall length for trucks not in excess of thirty-five feet (35) feet; providing that no tractor, semitrailer, full trailer or combination of vehicles shall have an overall length in excess of sixty (60) feet; no vehicle shall tow any combination of vehicles in excess of sixty (60) feet; providing for a repealing clause; providing for a saving clause; and providing for an effective date." Referred to Committee on Highways.

Senate Bill No. 112, introduced by Hafferman, O'Neill: A bill for an act entitled: "An act to amend Section 26-114, R.C.M. 1947, as amended, by providing for the appointment of such employees of the State Fish and Game Commission to act as ex-officio State Fish and Game Wardens as the director, with the approval of the commission, shall appoint." Referred to Committee on Fish and Game.

Senate Bill No. 126, introduced by McDonnell, MacDonald, Keller: A bill for an act entitled: "An act amending sections 46-2102 and 46-2104, R.C.M. 1947, providing that in order to defray the expense of the protection of sheep against depredations peculiar to such animals the Board of County Commissioners of any county shall have the power to require all owners or persons in possession of any sheep, coming one year or over, in the county on the regular assessment date of each year to pay a license fee of not exceeding fifteen cents (15¢) per head of sheep so owned or possessed by him in the county." Referred to Committee on Livestock and Ranges.

Senate Bill No. 130, introduced by Harris, Hilling, O'Neill: A bill for an act entitled: "An act for the prevention, control and treatment of venereal diseases; providing for powers and duties of state, county and local boards of health, physicians and other persons; providing for the methods of control, prevention and treatment of venereal diseases; and repealing Sections 69-1101, 69-1102, 69-1103, 69-1104, 69-1105, 69-1106, 69-1107, 69-1108, 69-1109, 69-1110, 69-1111, 69-1112, 69-1113, 69-1114, 69-1115, 69-1116, 69-1117, 69-1118, 69-1120, and 69-1121, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 131, introduced by Michels, Moritz: A bill for an act entitled: "An act to amend Section 53-707, R.C.M. 1947, pertaining to proportional registration of fleet vehicles by providing for payment of certain license fees and taxes and amending Section 53-712, R.C.M. 1947, pertaining to the fee formula by adding property taxes thereto and amending Section 53-713, R.C.M. 1947, pertaining to registration of proportionally registered vehicles adding payment of property taxes as a requirement thereof." Referred to Committee on Highways.

Senate Bill No. 135, introduced by Mackay, Graham: A bill for an act entitled: "An act relating to the formation of a cattle protective district within any county in the State of Montana and providing for

its formation and for its powers and duties, including organization, tax levy, and discontinuance." Referred to Committee on Livestock and Ranges.

Senate Bill No. 140, introduced by Groff: A bill for an act entitled: "An act declaring it unlawful to ship or take out of the state any aquatic insects for speculative purposes, for market or for sale." Referred to Committee on Fish and Game.

Senate Bill No. 142, introduced by Hilling: A bill for an act entitled: "An act giving first class counties an option to establish an election office and appoint an election officer and necessary assistants to take the place of the County Clerk on all election duties. Repealing all acts in conflict herewith and providing that this act be effective from and after its passage and approval." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 169, introduced by Dussault: A bill for an act entitled: "An act to amend Section 10-622, Revised Codes of Montana 1947, relating to the appointment, removal and salaries of probation officers for the juvenile departments of District Courts in the State of Montana: providing for salary increases and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 181, introduced by Turnage: A bill for an act entitled: "An act amending Section 61-212, R.C.M. 1947, relating to the inheritance rights of an adopted child, his adoptive kindred, and his natural kindred." Referred to Committee on Judiciary.

Senate Bill No. 198, introduced by Turnage: A bill for an act entitled: "An act amending sections 91-4415 and 91-4417, R.C.M. 1947, providing for limitations on liens for inheritance tax." Referred to Committee on Judiciary.

Senate Bill No. 199, introduced by Turnage: A bill for an act entitled: "An act providing that a lien of attachment on real property may be released by the Clerk of Court where no action has been taken to foreclose such lien for a period of five years." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading under the rules of the previous sitting. Motion carried.

Felt of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That consideration of House Bill No. 219 be passed for this day.

That House Bill No. 179 do pass.

That House Joint Resolution No. 30 be amended as follows:

Amend House Joint Resolution No. 30 by adding at the end of the Resolution the following words: "Be it further resolved, that copies of this Resolution be sent to the Governor, the Chief Justice of the Supreme Court, the Attorney General, and the Director of the Veterans Welfare Commission of the State of Montana."

And as amended, do pass.

That Senate Bill No. 38 be amended as follows:

By amending the title of the printed bill as follows: On the sixth (6th) line of said title after the word and punctuation "time" by inserting the

following words and punctuation "excepting therefrom cities of designated population and counties wherein said cities are located."

And amend Section 1, line 7 of the printed bill after the word and punctuation "city" by inserting the following words and punctuation "except cities having a population of twenty-five thousand (25,000) or more, or cities which lie within one (1) mile of the city limits of an incorporated city of the state of Montana having a population of twenty-five thousand (25,000) or more, according to the federal census of 1960, or any city in the state of Montana having a population of eight thousand (8,000) or more, according to the federal census of 1960 and which city is situated in a county which has an area of less than seven hundred and fifty (750) square miles, and the county in which any one of these cities is located."

And as amended, be concurred in.

That Senate Amendment to House Bill No. 57 be concurred in.

That House Bill No. 363 do pass.

That the Committee rise and report.

FELT, Chairman.

Motion was made by Felt that the Committee of the Whole report be adopted. Substitute motion was made by Lucas that House Joint Resolution No. 30 be segregated from the report. Substitute motion was lost. Division having been called for, the substitute motion was lost by the following vote:

Ayes: Asbjornson, Casey, Cregg, Crum, Delano, East, Falkenstern, Felt, Garrison, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Raundal, Rehberg, Rygg, Schye, Selstad, Smith, Spilde, Ulmer, Woodward. Total 33.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Ceroovski, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Williams, Willits. Total 50.

Absent or not voting: Christiansen, Judge, Scherf, Smiley, Swanz, Mr. Speaker. Total 6.

Excused: Boughton, Dye, Fischer, Tooke, Zimmer. Total 5.

Substitute motion was made by Ceroovski that Senate Bill No. 38 be segregated from the Committee of the Whole report. Motion carried. Division having been called for, the substitute motion carried by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bashor, Bollinger, Brenner, Broeder, Casey, Ceroovski, Christiansen, Crum, Cummings, Deschamps, Egan, Eklund, Falkenstern, Flynn, Garrison, Gerke, Gunderson, Hall, Johnson, Laas, Loman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Schye, Selstad, Slaby, Smith, Stranahan, Sullivan, Twedt, Willits. Total 48.

Noes: Asbjornson, Cregg, Delano, Eskildsen, Felt, Gilfeather, Gill, Gilligan, Haines, Hanks, Healy, Holtz, James, Jenkins, Jensen, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McNamer, Nichols, Pierce, Rehberg, Sheehy, Shugrue, Spilde, Tracy, Ulmer, Watt, Williams, Woodward, Mr. Speaker. Total 34.

Absent or not voting: Bardanouve, East, Harper, Judge, Scherf, Smiley, Swanz. Total 7.

Excused: Boughton, Dye, Fischer, Tooke, Zimmer. Total 5.

Report adopted as amended.

Watt requested that the House revert to Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Motion was made by Watt that House Bill No. 303 be returned from Printing and rereferred to Committee on Constitution, Elections and Federal Relations. Motion carried.

Motion was made by Eskildsen that House Bill No. 197 be taken from Printing and rereferred to the Committee on State Administration. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Wednesday, February 3, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

THIRTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 3, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Boughton, Gill, Loman, Lucas, Swanz, Wayrynen, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirtieth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 2, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 237, 371, 60, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 269, respectfully report as follows: That House Bill No. 269 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 be amended as follows:

Strike the punctuation “.” after the word “mill” on line 23, subsection (c) on page 1 of the original bill and insert the following words: “or so much thereof as the State Board of Equalization may find necessary, under the provisions of Section 84-713, Revised Codes of Montana, 1947.”

Strike the punctuation “.” after the word “mill” on line 26, subsection (d) on page 1 of the original bill and insert the following words “or so much thereof as the State Board of Equalization may find necessary, under the provisions of Section 84-713, Revised Codes of Montana, 1947.”

Strike the punctuation “.” after the word “mill” on line 28, subsection (e) on page 1 of the original bill and insert the following words: “or so much thereof as the State Board of Equalization may find necessary, under the provisions of Section 84-713, Revised Codes of Montana, 1947.”

Strike the punctuation “.” after the word “mill” on line 11, subsection (c) on page 2 of the original bill and insert the following words: “or so much thereof as the State Board of Equalization may find necessary, under the provisions of Section 84-713, Revised Codes of Montana, 1947.”

Strike the punctuation “.” after the word “mill” on line 14, subsection (d) on page 2 of the original bill and insert the following words: “or so much thereof as the State Board of Equalization may find necessary, under the provisions of Section 84-713, Revised Codes of Montana, 1947.”

Strike the punctuation “.” after the word “mill” on line 16, subsection (e) on page 2 of the original bill and insert the following words: “or so much thereof as the State Board of Equalization may find necessary, under the provisions of Section 84-713, Revised Codes of Montana, 1947.”

And as amended, do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 do not pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Joint Resolution No. 37, respectfully report as follows: That House Joint Resolution No. 37 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 be amended as follows:

1. Amend the title of the original bill on page 1, lines 5 and 6 by deleting the following material: "Waste from boats and prohibiting the operation of boats containing open toilet facilities." and inserting in lieu thereof the following new material: "Sewage from vessels; and amending Section 69-3505, R.C.M. 1947."

2. Delete Section 1 of the original bill on page 1, lines 9 through 12, in its entirety and insert in lieu thereof the following material:

"Section 1. Section 69-3505, R.C.M. 1947, is amended to read as follows:

"69-3505. (1) Every vessel shall have aboard:

(a) [(1)] One life preserver, buoyant vest, ring buoy or buoyant cushion of the type approved by the commandant of the United States Coast Guard in good and serviceable condition for each person on board, provided, in boats under twenty-six (26) feet in length, that any person or persons, twelve (12) years of age or younger, occupying a vessel while such vessel is in motion, shall have a life preserver of a type approved by the commandant of the United States Coast Guard securely fastened to his or her person.

(b) [(2)] When in operation during hours of darkness, a light sufficient to make the motorboat's or vessel's presence and location known to any and all other vessels within a reasonable distance.

(c) [(3)] If carrying or using any inflammable or toxic fluid in any enclosure for any purpose, and if not an entirely open motorboat or vessel, an efficient natural or mechanical ventilation system which shall be capable of removing resulting gases prior to, and during the time such motor boat or vessel is occupied by any person.

(d) [(4)] All motorboats shall carry the minimum number of Coast Guard approved hand portable fire extinguishers, the number of which is to be determined by the Montana Fish and Game Commission or a Coast Guard approved fixed fire extinguishing system, except, that motorboats less than twenty-six (26) feet in length of open construction, propelled by outboard motors, and not carrying passengers for hire need not carry such portable fire extinguishers or fire extinguishing systems.

(e) [(5)] Every motorboat or vessel shall have the carburetor or carburetors of every engine therein (except outboard motors) using gasoline as fuel, equipped with an efficient flame arrester, backfire trap, or other similar device.

(f) [(6)] The board is hereby authorized to make rules and regulations modifying the equipment requirements contained in this section to the extent necessary to keep these requirements in conformity with the provisions of the federal navigation laws or with the navigation rules promulgated by the United States Coast Guard.

(g) [(7)] No person shall operate or give permission for the operation of a vessel which is not equipped as required by this section or modification thereof.

(2) No vessel shall be equipped in a manner which will permit discharge of inadequately treated sewage into waters of this state. No container of inadequately treated sewage shall be placed, left, or discharged in or near waters of this state by anyone at any time. All toilets located on any vessel operated on waters of this state shall have securely affixed to the interior discharge opening of them an operating treatment device or retaining tank meeting the standards established by the State Board of Health."

And, as so amended, do pass.

BASHOR, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 2, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 23—Introduced by Gerke, Sheehy, O'Leary and Felt.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

February 2, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 45, introduced by Sheehy, was this day recommended for non-concurrence by the Senate Committee on Banking and Insurance, report adopted, and the bill is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Scherf that House Bill No. 298 be corrected in Section 1 of the printed bill by striking out in line 3 the letter "s" in the "veterans" and in line 4 thereof by adding after the word "wife" the words "or widow". Motion carried.

Motion was made by Eskildsen that House Bill No. 434 be taken from Second Reading and rereferred to Committee on Appropriations. Motion carried.

Motion was made by Bardanouve that House Bill No. 102 be removed from Second Reading and rereferred to Committee on Appropriations. Motion carried.

Motion was made by Gilligan that House Bill No. 21 be removed from Second Reading and rereferred to Committee on Labor and Compensation. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

McOmber of Teton in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 9 be amended as follows:

Amend Subsection d of Section 1 by adding thereto, beginning on line 26 of page 2 of the printed bill, a new subsection which shall read as follows:

(8) students engaged in summer time or part-time work in resort areas.

And as amended, do pass.

That House Bill No. 298 be amended as follows:

Amend Title by striking out in lines 7 and 8 of the original bill which are lines 3 and 4 of the printed bill the material beginning "and repealing".

Section 2. Amend by deleting the section in its entirety and re-numbering the following section.

And as amended, do pass.

That House Bill No. 352 be amended as follows:

Section 1 by striking out in line 5, page 1 of the printed bill, after the word "buses" the following words "or new passenger automobiles".

And as amended, do pass.

That House Bill No. 219 be placed at the bottom of the list.

That House Joint Resolution No. 16 do pass.

That House Bill No. 374 do pass.

That House Bill No. 284 do pass.

That House Bill No. 308 be moved to the bottom of the list.

That House Bill No. 409 do pass.

That House Bill No. 222 do pass.

That House Joint Resolution No. 17 do pass.

That House Bill No. 255 do pass.

That the Committee rise and report.

McOMBER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

Motion was made by Selstad that House Bill No. 171 be removed from Third Reading and placed on Second Reading. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 130 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 79.

Noes: Dye, East, Jenkins, Lewis, Raundal, Rehberg, Smiley, Smith, Swanz. Total 9.

Absent or not voting: Crum, Jensen, McNamer. Total 3.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 81 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Crum, Jensen. Total 2.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 85 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Cerovski, Crum, Jensen. Total 3.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 147 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye,

East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 69.

Noes: Asbjornson, Felt, Garrison, James, Lombardi, Lucas, Lund, MacCalman, McNamer, Nichols, Nutting, Rehberg, Selstad, Shugrue, Smith, Spilde, Ulmer, Williams, Woodard. Total 19.

Absent or not voting: Cerovski, Crum, Jensen. Total 3.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 74 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Leuthold, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Flynn, Laas, Lewis, MacCalman, Tracy. Total 5.

Absent or not voting: Asbjornson, Crum, Jensen. Total 3.

Excused: Boughton, Gill, Loman. Total 3.

House Joint Resolution No. 15 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Felt, Jensen. Total 2.

Excused: Boughton, Gill, Loman. Total 3.

House Joint Resolution No. 33 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens,

Scherf, Schye, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Mr. Speaker. Total 81.

Noes: Broeder, Flynn, Garrison, James, Rygg, Selstad, Smiley, Williams, Zimmer. Total 9.

Absent or not voting: Jensen. Total 1.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 213 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Jensen. Total 1.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 37 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Haines, Hanks, Harper, Healy, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 78.

Noes: Bardanouve, Cregg, Eskildsen, Gilfeather, Gilligan, Gunderson, Hall, Holtz, McNamara, Scherf, Zimmer. Total 11.

Absent or not voting: Jensen. Total 1.

Excused: Boughton, Gill, Loman, Swanz. Total 4.

House Bill No. 361 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sulli-

van, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Broeder, Haines, O'Hair, Selstad. Total 4.

Paired: Loman, no; Gilligan, yes.

Absent or not voting: Jensen. Total 1.

Excused: Boughton, Gill. Total 2.

House Joint Resolution No. 6 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Cregg. Total 1.

Absent or not voting: Crum, Gunderson, Jensen, Raundal, Shugrue. Total 5.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 157 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Jensen. Total 1.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 149 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz,

Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Deschamps, Rygg, Scherf, Sheehy, Shugrue. Total 5.

Absent or not voting: Gilfeather, Jensen. Total 2.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 128 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total

Noes: Williams. Total 1.

Absent or not voting: Jensen. Total 1.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 290 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 85.

Noes: Eskildsen, Scherf, Zimmer. Total 3.

Absent or not voting: Jensen, Judge, Smiley. Total 3.

Excused: Boughton, Gill, Loman. Total 3.

House Bill No. 363 was passed by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Fischer, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Lewis, Lombardi, MacCalman, Mather, McDonald, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 61.

Noes: Asbjornson, Bailey, Casey, Cerovski, Crum, East, Eskildsen, Falkenstern, Felt, Garrison, Jenkins, Leuthold, Lund, McNamara, McNamer,

Pierce, Rehberg, Scherf, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Ulmer, Williams, Woodard, Zimmer. Total 28.

Absent or not voting: Jensen, Lucas. Total 2.

Excused: Boughton, Gill, Loman. Total 3.

Senate Amendment to House Bill No. 57 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falckenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens,, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Mr. Speaker. Total 85.

Noes: Raundal, Schye, Stranahan. Total 3.

Absent or not voting: Haines, Jensen, Lucas. Total 3.

Excused: Boughton, Gill, Loman. Total 3.

Motion was made by Cerovski that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 3, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 233, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

February 3, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolution Nos. 30, 16, 17 and House Bills 179, 298, 374, 222, 284, 409, 352, 9, and 255.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 468, respectfully report as follows: That House Bill No. 468 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 114, respectfully report as follows: That Senate Bill No. 114 be concurred in.

BAILEY, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 do not pass.

BAILEY, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 do not pass.

BAILEY, Vice-Chairman.

Motion was made by Bailey for adoption of the Committee report.

Substitute motion was made by Johnson that House Bill No. 404 be printed and placed on Second Reading. Substitution motion failed. Committee report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do not pass.

BAILEY, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 do not pass.

JENSEN,
SCHEPENS,
CRUM,
HALL,
PREVOST,
TOOKE,
ULMER,
SWANZ.

Motion was made by Jensen for adoption of the Majority report.

Mr. Speaker: We, the Minority of your Committee on Public Health, Welfare and Safety, having had consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 do pass.

BASHOR,
EAST,
FLYNN,
HEALY,
O'LEARY.

Substitute motion was made by Bashor for adoption of the Minority report. Substitute motion carried. Minority report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 do not pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 do not pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 be amended as follows:

On line 8, page 1 of the original bill, adding a comma after the word stock, deleting the word or, inserting a comma after the word fruit, and adding the words "or other materials";

be further amended as follows: On line 21, page 1 of the original bill, insert comma after the word straw, delete the word or, inserting a comma after the word fruit, and adding the words "or other materials";

be further amended as follows: On line 30, page 1 of the original bill, delete the word "shall" and insert the word "may".

And as amended, do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 do pass.

HANKS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 3, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 69, introduced by Harris, et al.

Senate Bill No. 77, introduced by Mahoney, et al.

Senate Bill No. 102, introduced by Hilling, et al.

Senate Bill No. 115, introduced by Mahoney.

Senate Bill No. 149, introduced by Rieder, et al.

Senate Bill No. 171, introduced by Groff, et al.

Senate Bill No. 172, introduced by Groff, et al.

Senate Bill No. 173, introduced by Groff, et al.

Senate Joint Resolution No. 12 introduced by Brenner, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Schepens, having voted on the prevailing side, moved that the House reconsider its action on House Bill No. 187 in adopting an adverse committee report, and that it be printed and placed on Second Reading. Division having been called for, the motion to reconsider was carried by the following vote: Ayes: 44; Noes: 40.

Tracy, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 180, and that it be rereferred to the Committee on Fish and Game. Motion lost.

February 3, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 386, 236, and 294, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 69, introduced by Harris, O'Neill, Davis: A bill for an act entitled: "An act to amend Section 80-201, R.C.M. 1947, renaming the 'Montana State Tuberculosis Sanitarium' the 'Montana State Pulmonary Disease Hospital', and describing its purpose." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 77, introduced by Mahoney, Dussault, Huntley, Rear-don, Siderius: A bill for an act entitled: "An act to amend Section 92-823, Revised Codes of Montana of 1947, relating to the time of holding hearings and making findings and awards by the Industrial Accident Board; and allowing to a claimant proceedings in mandamus; and providing for payment on claims pending hearing and final determination and providing repayment by claimant where claim is made in bad faith; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Labor and Compensation.

Senate Bill No. 102, introduced by Hilling, Brenner, Hauk: A bill for an act entitled: "An act amending Section 84-406, R.C.M. 1947, to provide livestock being fed in feeding pens or enclosures may be assessed on an average inventory basis rather than the fixed assessment date of the first Monday in March." Referred to Committee on Livestock and Ranges.

Senate Bill No. 115, introduced by Mahoney: A bill for an act entitled: "An act to amend Section 68-1101, R.C.M. 1947, relating to the benefits payable upon the death of members of the Public Employees' Retirement System, to provide that a member's nominated beneficiary need not have an insurable interest in the member's life to qualify for payment of the death benefit." Referred to Committee on Judiciary.

Senate Bill No. 149, introduced by Rieder, Cotton, Hilling, Thiessen, Thomas: A bill for an act entitled: "An act to provide for the creation of a school district within an existing school district by a licensed non-sectarian child institution for the education of children if said procedure is acceptable to the existing school district; providing for the creation and acceptance and the operation of the newly created school district; defining licensed non-sectarian child care institution; providing for the expansion of said school district and the attendance of pupils and designating students who shall be part of newly created school district; and providing for an effective date." Referred to Committee on Education.

Senate Bill No. 171, introduced by Groff, DeWolfe, Cumming, McGowan, Mackay, O'Neill, Mathers, Brownfield: A bill for an act entitled: "An act to amend Section 81-1715, R.C.M. 1947, to provide for the re-leasing of oil and gas leases-expiring or terminating for any cause by advertising the same for sale at public auction; providing for preferential rights of prior lessee on lands where oil or gas has been produced; repealing all acts and parts of acts in conflict herewith; and providing an effective date for this act." Referred to Committee on Business and Industry.

Senate Bill No. 172, introduced by Groff, DeWolfe, Cumming, McGowan, Mackay, O'Neill, Mathers, Brownfield: A bill for an act entitled: "An act to amend Section 81-1704, R.C.M. 1947, to provide for the rate and time of royalty payment and the effect thereof, for gas not sold or used

off the premises; repealing all acts or parts of acts in conflict herewith; and providing an effective date for this act." Referred to Committee on Business and Industry.

Senate Bill No. 173, introduced by Groff, DeWolfe, Cumming, McGowan, Mackay, O'Neill, Mathers, Brownfield: A bill for an act entitled: "An act to amend Section 81-1702.2, Revised Codes of Montana, 1947, which provides for the grounds upon which the State Board of Land Commissioners has power to terminate oil and gas leases issued by it; providing that said Section 81-1702.2 shall not apply to oil and gas leases hereafter issued; repealing all acts and parts of acts in conflict herewith; and providing for the effective date of this act." Referred to Committee on Business and Industry.

Senate Joint Resolution No. 12, introduced by Brenner, Hibbard, James, Melcher, Mackay: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting that the Legislative Council study the feasibility and desirability of consolidating the administrative functions of professional and occupational licensing boards." Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made Cerovski that the House resolve itself in to a Committee of the Whole for the consideration of business under Second Reading under the rules of the previous sitting. Motion carried.

McOmber of Teton in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 134 do pass.

That House Bill No. 261 do pass.

That House Bill No. 219 be amended as follows:

Amend Section 1 by striking Section 1 in its entirety, and inserting in lieu thereof the words Section 1. As used in this act: (1) Automotive service station shall mean that portion of any property where flammable or combustible liquids used as motor fuels are dispensed from fixed equipment into the fuel tanks of motor vehicles.

(2) Attendant shall mean a person who has as one of his duties the dispensing of motor fuels into fuel tanks or other containers.

(3) "Principal source of income" is that source from which more than one-third (1/3) of the income is received."

Amend Section 2 of the printed bill by adding in line 1 after the word "fuel", the words "in connection with direct retail sale". Further amend Section 2, in line 3 by striking the words "a competent" and inserting in lieu thereof the words "or under the supervision of an". Further amend Section 2 in lines 4 and 5 by inserting a "period" after the word "station" and striking out the balance of lines 4 and 5.

Further amend Section 2 of the printed bill by adding the following:

"When the dispensing of motor fuel is not the principal source of income on the premises and the owner or operator of the premises is physically present, it is not necessary that an attendant dispense or supervise the dispensing of the motor fuel."

And as so amended, do pass.

That House Bill No. 308 do pass.

That House Bill No. 273 do pass.

That House Joint Resolution No. 35 do pass.

That consideration of House Bill No. 171 be passed for the day.

That Senate Joint Resolution No. 1 be concurred in.

That Senate Amendments to House Joint Resolution No. 3 be concurred in.

That Senate Bill No. 38 be passed for the day and placed at the head of the list for Second Reading tomorrow.

McOMBER, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Thursday, February 4, 1965.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

THIRTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 4, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Boughton, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-first Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 be amended as follows:

Be amended in Section 1, page 2, line 23 of the original bill by deleting the word "three" and inserting in lieu thereof the word "two", and by deleting the word "three" on page 3, line 1 and inserting in lieu thereof the word "two".

And as amended, do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do not pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287 do not pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 do not pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 do pass.

AASHEIM, Chairman.

Report adopted.

February 3, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 216, 108, 296, 394, 387, 383, 254, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 3, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill Nos. 118, 240, 133, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 be amended as follows:

Be amended by striking out in line 5, page 1 of the original resolution and in line 2, page 1 of the mimeographed copies the word "directing" and replacing this with the word "requesting", and

Be amended by striking out in line 6, page 1 of the original resolution and in line 3, page 1 of the mimeographed copies the word "comprehensive" and replacing this with the word "preliminary", and

Be amended by striking out in line 26, page 1 of the original resolution and in line 21, page 1 of the mimeographed copies the word "directed" and replacing this with the word "requested", and

Be amended by striking out in line 27, page 1 of the original resolution and in line 22, page 1 of the mimeographed copies the word "comprehensive" and replacing this with the word "preliminary", and

Be amended by striking out lines 1, 2, 3 and 4, page 2 of the original resolution and lines 28, 29, 30, 31 and 32, page 1 of the mimeographed copies, and

be amended by striking out in line 9, page 2 of the original resolution and in line 38, page 1 of the mimeographed copies the word "comprehensive" and replacing this with the word "preliminary", and

As amended do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do pass.

BRENNER, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 be amended as follows:

1. Amend the title on page 1, line 7 of the original bill by inserting between the word "on" and the word "taxable" the word "certain".

2. Amend Section 2, page 1, line 26 of the original bill, by deleting the words "on or before August 1" and inserting in lieu thereof the words "on or before the first Monday of July".

3. Amend Section 3, page 2, line 4 of the original bill by deleting the period after the word "county" and adding the following material: "except that within incorporated cities and towns."

4. Amend Section 4, page 2, line 13 of the original bill by adding the following material after the word "county": "except that within incorporated cities and towns."

5. Further amend Section 4, page 2, line 13 of the original bill by deleting the word "to" and inserting in lieu thereof the words "It shall".

6. Further amend Section 4, page 2, line 15 by inserting after the quotation mark the words "and shall be".

7. Amend Section 5, page 2, line 26 of the original bill by inserting the following material after the word "county": "except within incorporated cities and towns".

And as amended, do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 be amended in the original bill as follows:

In Section 3, page 2, line 5, after the word "agency" insert the words "at which official action is taken"; and in said section on line 10, after the word "attendance." add the following: "That the minutes, if any, taken at any meeting which is not public, shall be read in full at the next public meeting of such body."

And further amend the original bill in Section 5, page 2, line 24 by inserting a sub-paragraph number "(1)" before the word "except"; and on line 27 of said section, delete the word "county" and substitute therefor the word "locale".

And further amend Section 5 by adding the following sub-paragraphs:

"(2) If any meetings within the scope of this act are held at regularly scheduled times, weekly or monthly, notice given at the beginning of the business year, setting forth the schedule of such meetings, shall be sufficient notice within the meaning of this act." And,

"(3) In the event it becomes necessary to call a meeting within a period of time less than twenty-four (24) hours from the time of the calling of such meeting, or within such length of time that written notice is impossible, such notice may be given by telephone."

And as amended, do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 477, respectfully report that House Bill No. 477 be amended in the original bill as follows:

On page 1, line 31, delete the figure "30%" and insert therefor the figure "45%"; and on line 32 of said page, delete the figure "40%" and insert therefor the figure "25%".

And as amended do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 475, respectfully report as follows: That House Bill No. 475 do not pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 22, respectfully report as follows: That House Joint Resolution No. 22 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 23, respectfully report as follows: That House Joint Resolution No. 23 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 25, respectfully report as follows: That House Joint Resolution No. 25 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 27, respectfully report as follows: That House Joint Resolution No. 27 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 28, respectfully report as follows: That House Joint Resolution No. 28 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 31, respectfully report as follows: That House Joint Resolution No. 31 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 32, respectfully report as follows: That House Joint Resolution No. 32 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 34, respectfully report as follows: That House Joint Resolution No. 34 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 449, respectfully report as follows: That House Bill No. 449 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 451, respectfully report as follows: That House Bill No. 451 be amended as follows:

1. Amend page 2, line 13 of the original bill by deleting the word "seem" and inserting in lieu thereof the word "deem".

And as amended, do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 do not pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 do pass.

BARDANOUE, Chairman.

Report adopted.

I have examined House Bill No. 57 introduced by me and find the same to be correct.

JUDGE.

February 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 57.

HARPER, Chairman.

The Speaker signed House Bill No. 57 in open session, the title having first been read.

MESSAGES FROM THE GOVERNOR

February 3, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 77—Introduced by O'Hair, Cummings, Bailey, Tracy and Harper.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

February 3, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 20, introduced by MacDonald, et al., was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Twedt that House Bill No. 187 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 20, introduced by MacDonald, Mackay, O'Neill, Hilling: A bill for an act entitled: "An act relating to the organization of political parties and the selection and election of party nominees and officials; giving political parties the power to make rules and regulations, call conventions, select delegates, adopt platforms, nominate presidential electors, select officers and national committeemen and women, and nominate candidates to fill certain vacancies; amending Section 23-902, R. C. M. 1947, to change the date of the primary election; amending Section 23-513, R. C. M. 1947, relating to closing of registration and to publishing and posting of notice of the closing of registration; amending Section 23-514, relating to printing and posting of lists of registered electors; amending Section 23-807, R. C. M. 1947, relating to the filing of certain certificates of nomination; amending Section 23-809, R. C. M. 1947, relating to the Secretary of State's certificate of nomination; amending Section 23-929, R. C. M. 1947, relating to county and city central committees; amending Section 23-1008, R. C. M. 1947, relating to payment of convention expenses; amending Section 23-1117, relating to the furnishing of ballots to precincts; amending Section 23-1611, relating to voting machines; and repealing Sections 23-930, 23-932, 23-1002, 23-1006, 23-1007, R. C. M. 1947." Referred to Committee on Constitutions, Elections, and Federal Relations.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bill No. 35, Senate Joint Resolution No. 4, Senate Joint Resolution No. 5.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Sartz that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Schepens of Dawson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 38 be amended as follows:

In the title of the printed bill as follows: On the seventh (7th) line of said title after the word and punctuation "time," by inserting the following

words and punctuation: "excepting therefrom counties of designated area and activity and the cities located in such counties;"

Amend Section 1, line 7 of the printed bill after the word and punctuation "county," by inserting the following words and punctuation: "except counties which are largely non-agricultural and which have a land area of less than seven hundred and fifty (750) square miles and the cities or towns located in such a county,"

And further amend Section 1, line 8 of the printed bill after the word "Montana" by inserting the following words and punctuation: ", except those counties and cities hereinbefore excluded,"

And as so amended, be concurred in.

That House Bill No. 171 be amended as follows:

Section 2, page 4 of the original bill by striking out in line 32 the period after the word "composition" and inserting in lieu thereof a comma and adding the following words: ", provided, however, the Commissioner or his authorized agents must preserve each sample in its original state and must, upon demand, make same available to each defendant for independent analysis prior to any prosecution."

And as so amended, do pass.

That House Bill No. 237 do pass.

That House Bill No. 371 do pass.

That consideration of House Bill No. 60 be passed until next sitting.

That Senate Bill No. 114 be concurred in.

That the Committee rise and report.

SCHEPENS, Chairman.

Report adopted.

February 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill Nos. 473, 337, 385, 53, 430, 389, 159, 83, 117, 136, 270, 388, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 30 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Smith, Stranahan, Sullivan, Swanz, Tracy, Twedt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 72.

Noes: Crum, East, Falkenstern, Felt, James, Jenkins, Lucas, MacCalman, Mather, McNamer, Nutting, Selstad, Smiley, Spilde, Ulmer. Total 15.

Absent or not voting: Loman, McDonald, Raundal, Scherf, Tooke, Watt. Total 6.

Excused: Boughton. Total 1.

House Joint Resolution No. 16 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 78.

Noes: Aasheim, Brenner, Egan, Flynn, Hanks, Meccage, Nefzger, O'Hair, Shugrue, Slaby, Twedt, Willits, Lombardi. Total 13.

Absent or not voting: Loman, Scherf. Total 2.

Excused: Boughton. Total 1.

House Joint Resolution No. 17 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: Atkins, Christiansen, Deschamps. Total 3.

Absent or not voting: Scherf. Total 1.

Excused: Boughton. Total 1.

House Bill No. 179 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Woodard, Mr. Speaker. Total 70.

Noes: Asbjornson, Broeder, Casey, Dye, East, Falkenstern, Garrison, Loman, Lucas, Lund, MacCalman, Nutting, Rehberg, Selstad, Smiley, Smith, Spilde, Swanz, Ulmer, Williams, Total 20.

Absent or not voting: Felt, Scherf, Zimmer. Total 3.

Excused: Boughton. Total 1.

House Bill No. 298 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings,

Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Cregg, Dye, Felt, Lucas, Mather, Raundal, Selstad, Smiley, Ulmer, Williams. Total 10.

Absent or not voting: Scherf, Smith. Total 2.

Excused: Boughton. Total 1.

House Bill No. 374 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: Deschamps, Jensen. Total 2.

Absent or not voting: Scherf. Total 1.

Excused: Boughton. Total 1.

House Bill No. 222 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: Eskildsen, Garrison. Total 2.

Absent or not voting: Scherf. Total 1.

Excused: Boughton. Total 1.

House Bill No. 284 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger,

Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Scherf. Total 1.

Excused: Boughton. Total 1.

House Bill No. 409 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Shugrue, Slaby, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Broeder, East, Garrison, Gill, Rygg, Sheehy, Smiley, Smith, Stranahan. Total 9.

Absent or not voting: Scherf. Total 1.

Excused: Boughton. Total 1.

House Bill No. 352 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Scherf. Total 1.

Excused: Boughton. Total 1.

House Bill No. 9 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smiley, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 75.

Noes: Asbjornson, East, Falkenstern, Felt, Garrison, James, Jenkins, Leuthold, Loman, Mather, Nutting, Schye, Smith, Spilde, Stranahan, Swanz, Williams. Total 17.

Absent or not voting: Scherf. Total 1.

Excused: Boughton. Total 1.

House Bill No. 255 was passed by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Deschamps, Dye, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, McDonald, McNamara, McOmber, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Sheehy, Shugrue, Smiley, Stranahan, Sullivan, Tracy, Watt, Willits, Zimmer, Mr. Speaker. Total 60.

Noes: Asbjornson, Bailey, Bollinger, Broeder, Delano, East, Falkenstern, Garrison, James, Jenkins, Jensen, Loman, Lucas, MacCalman, Mather, McNamer, Nelson, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Slaby, Smith, Spilde, Swanz, Tooke, Twedt, Ulmer, Williams, Woodard. Total 32.

Absent or not voting: Scherf. Total 1.

Excused: Boughton. Total 1.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendment to House Joint Resolution No. 3 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Casey, Garrison, Smith. Total 3.

Absent or not voting: Pierce, Scherf. Total 2.

Excused: Boughton. Total 1.

Senate Joint Resolution No. 1 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley,

Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: Hanks. Total 1.

Absent or not voting: Pierce, Scherf. Total 2.

Excused: Boughton. Total 1.

Motion was made by Cerovski that the House recess until 2:45 this date. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolution No. 35, House Bills Nos. 134, 219, 308, 273, 261, 237 and 371.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do not pass.

AASHEIM, Chairman.

Motion was made by Aasheim that the committee report be adopted. Substitute motion was made by Bashor that House Bill No. 288 be printed and placed on Second Reading. Substitute motion was lost. Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 443, respectfully report as follows: That House Bill No. 443 do not pass.

JUDGE, Chairman.

Motion was made by Judge for adoption of the committee report.

Substitute motion was made by Gilfeather that House Bill No. 443 be printed and placed on Second Reading. Substitute motion was lost. Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 do not pass.

JUDGE, Chairman.

Motion was made by Judge for adoption of the Committee report.

Substitute motion was made by O'Hair that House Bill No. 315 be printed and placed on Second Reading. Lucas moved that the substitute motion by O'Hair be laid on the table. Motion carried.

Motion was made by Cerovski that the House recess for five minutes for a meeting of the Rules Committee. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 336, 395, 153, 154, 173, 269, 231 and House Joint Resolution No. 37, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 26, respectfully report as follows: That House Joint Resolution No. 26 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 420, respectfully report as follows: That House Bill No. 420 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 be amended as follows:

1. Amend title on page 1, line 8 or the original bill by adding after the semicolon the following new material: "authorizing repayment by counties over a period of forty years if federal loans are available; authorizing facsimile signatures on bond coupons by county commissioners;"

2. Amend Section 1 on page 1, line 25 of the original bill by adding after the period the following new material: "If federal loans are available, payments may be spread over a term of not to exceed forty (40) years."

3. Amend Section 2, subsection 2 on page 4, line 2 of the original bill by striking the period after the word "clerk" and inserting in lieu thereof a comma and the following word "provided, however, that said coupons may bear the facsimile signatures of said officers in the discretion of the Board of County Commissioners."

4. Further amend Section 2, subsection 2 of the original bill on page 4, line 6, by changing the period to a comma and adding the following new material: "except that if federal loans are available for improvements, repayment may extend over a period not to exceed forty (40) years."

And as amended, do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 472, respectfully report as follows: That House Bill No. 472 be amended as follows:

Strike out the word "quarterly" on line 30, page 1 of the original bill and insert in lieu thereof the following words: "at least quarterly and at such other times as may be necessary, convenient or desired"

And as amended, do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 393, respectfully report as follows: That House Bill No. 393 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 be amended as follows:

Strike the words "fifteen thousand dollars" in the title of the original bill on line 6, page 1 of the original bill and insert in lieu thereof "ten thousand dollars"

And further amend as follows:

Strike the words and figures "fifteen thousand dollars (\$15,000.00)" on lines 21 and 22, page 1, of the original bill and insert in lieu thereof "ten thousand dollars (\$10,000.00)".

And as amended, do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 140, respectfully report as follows: That Senate Bill No. 140 be concurred in.

BAILEY, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 be amended as follows:

In Section 1, lines 13 and 14 of the original bill by deleting the following material: “[twenty dollars (\$20.00)] twenty-five dollars (\$25.00)” and inserting in lieu thereof the following material: “twenty dollars (\$20.00)”.

And as so amended, do pass.

BARDANOUE, Chairman.

Report adopted.

(Material in brackets denotes cancelled type.)

MESSAGES FROM THE GOVERNOR

February 4, 1965 at 10:40 a. m.

Received of Chairman, Bills Committee, Harper, House Bill No. 57.

TIM BABCOCK, Governor,

By Lucille M. Baker, Secretary.

February 4, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bill No. 57, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 10:40 o'clock a. m., delivered to the Governor for his approval.

HARPER, Chairman.

MESSAGES FROM THE SENATE

February 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 19, introduced by Mathers and Cotton.

Senate Bill No. 27, introduced by Hilling and Dussault.

Senate Bill No. 51, introduced by Graham, et al.

Senate Bill No. 59, introduced by McDonnell and Dussault.

Senate Bill No. 67, introduced by Cotton.

Senate Bill No. 78, introduced by Reardon, et al.

Senate Bill No. 118, introduced by Gerard and Mackay.

Senate Bill No. 124, introduced by Reardon, et al.

Senate Bill No. 158, introduced by Cotton.

Senate Bill No. 207, introduced by Hilling and Lehrkind.

Senate Bill No. 223, introduced by Beley, et al.

Senate Bill No. 227, introduced by Mahoney.

Senate Joint Resolution No. 8, introduced by Melcher, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 89, introduced by Pierce and Christiansen.

House Bill No. 97, introduced by Judge and Loman.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Sheehy that the House request the Senate to return House Bill No. 49 to the House. Motion carried.

Motion was made by O'Hair that the motion affecting House Bill No. 315 be taken from the table. Division having been called for, the motion carried by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Laas, Lewis, Lombardi, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits. Total 46.

Noes: Asbjornson, Broeder, Casey, Cregg, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Haines, James, Jenkins, Jensen, Judge, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Scherf, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 41.

Absent or not voting: Bashor, Raundal, Zimmer, Mr. Speaker. Total 4.

Excused: Boughton, Gilligan, Rygg. Total 3.

Substitute motion was made by O'Hair that House Bill No. 315 be printed and placed on Second Reading. Division having been called for, the substitute motion was lost by the following vote:

Ayes: Aasheim, Bardanouve, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gilfeather, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Laas, Lewis, Lombardi, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits. Total 40.

Noes: Asbjornson, Atkins, Bailey, Bashor, Bollinger, Broeder, Casey, Cregg, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Gerke, Haines, James, Jenkins, Jensen, Judge, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Scherf, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 47.

Absent or not voting: Gill, Raundal, Zimmer, Mr. Speaker. Total 4.

Excused: Boughton, Gilligan, Rygg. Total 3.

Original motion that the committee report that House Bill No. 315 do not pass carried. Report adopted.

Gunderson, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 404. Motion carried.

Motion was made by Gunderson that House Bill No. 404 be rereferred to the Committee on Fish and Game. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Joint Resolution No. 8, introduced by Melcher, Cotton, MacDonald, Thiessen, Jensen, Harris, McKenna, Beley, Huntley, Beck, Graham, Mahoney, Dussault, Siderius, Hauk, Reardon, Kafka, Davis: A Joint Resolution of the Senate and the House of Representatives of the State of Montana registering opposition to the proposed merger of the Great Northern; Northern Pacific; Chicago, Burlington and Quincy, and the Spokane, Portland and Seattle Railroads. Referred to Committee on Business and Industry.

Senate Bill No. 27, introduced by Hilling, Dussault: A bill for an act entitled: "An act amending Section 51-103, R. C. M. 1947, making sales below 'cost' prima facie evidence of intent to injure or destroy competition." Referred to Committee on Business and Industry.

Senate Bill No. 51, introduced by Graham, Melcher, MacDonald, Mackay, Brenner, Hibbard, Moritz: A bill for an act entitled: "The Legislative Audit Act" creating a legislative audit committee and the office of Legislative Auditor and providing for the audit of state agencies by the Legislative Auditor; amending Sections 82-1002, 82-1005, 82-1007, 82-1009, 82-110, 71-206, 4-347, 4-230, and 5-910, R. C. M. 1947; and repealing Sections 82-1014, 82-1015, 82-1016, 79-504, 84-4403, 84-4404, and 84-4405, R. C. M. 1947." Referred to Committee on State Administration.

Senate Bill No. 59, introduced by McDonnell, Dussault: A bill for an act entitled: "An act to amend Section 91-4414, R. C. M. 1947, relating to exemptions from inheritance tax and totally exempt transfers." Referred to Committee on Judiciary.

Senate Bill No. 67, introduced by Cotton: A bill for an act entitled: "An act to amend Section 5-1028, R. C. M. 1947, as amended by Chapter 39, Session Laws of Montana, 1963, prohibiting branch banking; providing for drive-in and walk-up facilities with the approval of the Superintendent of Banks within specified distances from the main banking house; providing for a repealing clause; providing for a severability clause; providing for an effective date." Referred to Committee on Business and Industry.

Senate Bill No. 118, introduced by Gerard, Mackay: A bill for an act entitled: "An bill for an act providing for elections in towns having population of less than one thousand five hundred by the last completed United States census; providing for biennial election of town officers of such towns and the date thereof; providing for the nomination of candidates for the offices to be filled at such election; providing for notices of said elections, appointment of judges and clerks for such elections and the hours of opening the polls at such elections; providing the manner in which poll lists shall be maintained and votes counted at such elections; providing the manner of canvassing votes and issuance of certificates of election at such elections; providing that the registration of electors shall be unnecessary at such elections; providing for challenges to persons offering to vote and punishment for a false swearing at such elections; providing for payment of judges of the election; providing that all acts or parts of acts inconsistent herewith shall be deemed repealed or amended to the extent necessary to implement this act; and providing that this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 78, introduced by Reardon, Bovey, Brenner, Moberly: A bill for an act entitled: "An act to amend Section 92-706, Revised Codes of Montana, 1947, authorizing Industrial Accident Board to order replacement or repair of artificial limb damaged in industrial accident." Referred to Committee on Labor and Compensation.

Senate Bill No. 124, introduced by Reardon, Lehrkind, Ullom, Davis: A bill for an act entitled: "An act to amend Sections 87-106 and 87-148, R. C. M. 1947, which sections are a part of the Unemployment Compensation Law; by limiting benefit disqualifications of retired individuals to those entitled to receive retirement compensation in excess of one hundred dollars per month; by excluding securities salesmen paid solely by commission from the definition of covered employment." Referred to Committee on Labor and Compensation.

Senate Bill No. 158, introduced by Cotton: A bill for an act entitled: "An act to authorize school boards of trustees to provide transportation for pupils living one or more but less than three miles from school; providing standards for vehicles and drivers; and providing a fund to account for moneys collected and disbursed under the act." Referred to Committee on Education.

Senate Bill No. 207, introduced by Hilling, Lehrkind: A bill for an act entitled: "An act recognizing the existence of a continuing public demand for student and faculty housing, residence halls, and food service facilities at the several units of the University of Montana and the attendant delay, expense and limitations in providing the same through state construction; authorizing the State Board of Land Commissioners, upon the recommendation of the Board of Regents of the University of Montana, to lease state owned lands for the erection, maintenance and operation of such improvements; providing for the control, supervision and regulation thereof by the said Board of Regents; and providing that such improvements shall be, upon expiration of the term of lease, the property of the State of Montana." Referred to Committee on Education.

Senate Bill No. 223, introduced by Beley, Hafferman, Goodwin, McDonnell: A bill for an act entitled: "An act to amend Section 26-307, R. C. M. 1947, relating to waste of fish or game, hunting or fishing during closed seasons; providing for a penalty for killing more than one game animal of any one species in a licensed year unless authorized by the Board of County Commissioners; providing for a penalty for the taking, hunting, shooting, killing or capturing game animals or game birds or to fish during a closed season." Referred to Committee on Fish and Game.

Senate Bill No. 227, introduced by Mahoney: A bill for an act entitled: "An act to amend Section 91-4704, R. C. M. 1947, relating to the restoration to capacity of declared insane or incompetent persons including veterans by judicial determination by verified petition; providing for a hearing and notice thereof to designated persons before a jury; setting out procedures for said hearing; requiring the County Attorney to prepare and present petition to the district court of declared insane or incompetent veteran; and providing for an effective date." Referred to Committee on Judiciary.

Senate Bill No. 19, introduced by Mathers, Cotton: A bill for an act entitled: "An act to amend Section 75-2701, Revised Codes of Montana, 1947, as last amended by Chapter 209, Laws of Montana, 1963, relating to earnable compensation and average final compensation of the Teachers' Retirement System, State of Montana; relating to withdrawal of accumulated contributions; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

SECOND READING OF BILL (COMMITTEE OF THE WHOLE)

Motion was made by Sartz that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading. Motion carried.

Schepens of Dawson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 60 be placed at the bottom of the list.

That House Bill No. 233 do pass.

That House Bill No. 386 do pass.

That House Bill No. 236 do pass.

That House Bill No. 294 do pass.

That House Bill No. 60 be amended as follows:

1. Amend the title on page 1, line 22 of the original bill, which is page 1, line 14 of the title in the printed bill, by deleting after the first "of" the words "the report of the Industrial Accident Board under Section 11-2-29" and inserting in lieu thereof the words "certain reports".

2. Amend Section 2, page 6, line 13 of the original bill, which is pages 6 and 7, lines 64 and 65 of the printed bill, by deleting "Industrial Accident Board" and inserting in lieu thereof the words "Public Employees' Retirement System".

3. Amend Section 3, subsection (2), page 7, line 12 of the original bill, which is page 8, lines 24 and 25 of the printed bill, by deleting "Industrial Accident Board" and inserting in lieu thereof the words "Public Employees' Retirement System".

4. Further amend Section 3, subsection (2), page 7, line 24 of the original bill, which is page 8, line 37 of the printed bill, by deleting the words "Industrial Accident Board" and inserting in lieu thereof the words "Public Employees' Retirement System".

5. Further amend Section 3, subsection (2), page 7, line 19 of the original bill, which is page 8, line 32 of the printed bill, by deleting the words "Industrial Accident Board" and inserting in lieu thereof the words "Public Employees' Retirement System".

6. Amend Section 4, subsection (2), page 8, line 9 of the original bill, which is page 9, line 12 of the printed bill by inserting after the word "be" the following material: "approved by the Public Employees' Retirement System and".

7. Amend Section 5, page 8, line 28 of the original bill, which is page 9, line 3 of the printed bill, by placing before the words "The industrial" a "(1)".

8. Amend Section 5, page 9, line 1 of the original bill, which is page 10, line 8 of the printed bill by inserting after the period the following material: "(2) The Public Employees' Retirement System shall make a report to the governor before October 1 of each year. The report shall contain information on operations and proceedings for the prior fiscal year relative to the administration of the volunteer firemen's pension plan; it shall also contain suggestions and recommendations as it may deem of value for public information. (3)".

And as so amended, do pass.

That the Committee rise and report.

SCHEPENS, Chairman.

Report adopted.

The Chief Clerk requested that the House revert to Order of Business No. 5.

MESSAGES FROM THE SENATE

February 4, 1965

Mr. Speaker:

In compliance with the request of the House, I am directed by the Senate to return to the House, House Bill No. 49, introduced by Sheehy, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

Motion was made by Sheehy that House Bill No. 49 be rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Friday, February 5, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

THIRTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 5, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Boughton, Pierce, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-second Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills No. 174, 121, 122, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 171.

HARPER, Chairman.

February 5, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 194, 468, 313, 357, 449, 318, 302, 373, 354, 305, 176, and House Joint Resolution No. 34, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 be amended as follows:

Section 1 thereof on line 1 of page 2 of the original bill, being line 25 on page 2 of the printed bill, by inserting “, county” after the word “state”.

Section 1 thereof on line 27 of the original bill, being line 18 of the printed bill by striking out the period immediately following the word “permitted” and adding the words “without the permission of the owner or person in possession of such private property”.

Section 1 thereof on line 29 of the original bill being line 20 of the printed bill by striking out the words “twenty-five” and inserting in lieu thereof the words “one-hundred”.

And as amended, do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 29, respectfully report as follows: That House Joint Resolution No. 29 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19 be amended as follows:

1. Strike out all that material following the enacting clause on page 1, line 19 of the original bill, and insert in lieu thereof the following:

“Section 1. Provision for administration. (a) The State Department of Public Welfare (hereafter called “state department”) is hereby authorized and empowered to administer and supervise a program of medical aid for the aged (MAA) under the powers, duties and function provided in Sections 71-201 through 71-240, R.C.M. 1947.

(b) The State department shall adopt appropriate rules and regulations, not inconsistent with this act, to administer and supervise the said program, and shall define by rules and regulations medical aid for the aged. Such definition shall include, but is not limited to the following:

- (1) In-patient hospital services;
- (2) Licensed nursing home services;
- (3) The professional services of a licensed physician, dentist, osteopath, optometrist, chiropractor, chiropodist, or physical therapist;
- (4) Out-patient hospital or clinic services;
- (5) Home health care services;
- (6) Physical therapy and related services;
- (7) Dental services;
- (8) Laboratory and x-ray services;
- (9) Prescribed drugs, eyeglasses, dentures and prosthetic devices;
- (10) Diagnostic, screening and preventive sources;

(11) Any additional medical service or aid allowable under or provided by Title I, Section 6 (b) of the Federal Social Security Act, as now amended.

The foregoing services shall be provided to the fullest extent that monies appropriated, collected, accumulated or matched from any source by the state department will allow. Priorities of the foregoing medical services or aids, if funds are inadequate, shall be determined by the state department.

(c) The state department shall advise with and consult at least semi-annually with a council composed of duly qualified members of the following organizations: The Montana Medical Association; the Montana State Dental Association; the Montana Hospital Association; the Montana State Pharmaceutical Association; the Montana Nursing Home Association; the Montana Association of County Commissioners; and the Montana Nurses Association.

Each such organization shall select a member of its organization to serve on the council and one alternate to serve in his absence. Three additional members shall be appointed by the governor, for terms of three years, one of whom shall be a person engaged in supplying medical aid and services, other than members of the above organizations, and two from the public at large.

(d) The state department shall provide for professional freedom of those licensed practitioners who provide medical care and services under this act, and provide reasonable freedom of choice to recipients of medical aid to select the vendor or provider of medical care or services; provided, that in those counties where county hospitals, supported by county funds, provide adequate equipment, and facilities for the needs of any recipient, the county board of public welfare may require that the recipient be treated or cared for at such county hospital, if suitable vacancies exist in such county hospital.

(e) The state department may, by suitable rules and regulations, provide for processing, investigation and payment of claims under such program of medical aid for the aged with any state or private agency.

Section 2. Eligibility requirements for medical aid for the aged. Medical aid for the aged shall be granted to any person who:

(a) Is sixty-five (65) years of age or over.

(b) Resides in the state of Montana, including residents temporarily absent from the state.

(c) Is not concurrently a recipient of old age assistance under Sections 71-401 through 71-413, R.C.M., 1947; but such persons shall be eligible to receive out-patient services despite receiving old age assistance.

(d) Is in need of medical care or services, as such need may be determined by an attending licensed physician or surgeon, with necessary consultation; or by the county board of public welfare, acting under rules and regulations of the state department, not inconsistent with this act.

(e) Is not receiving medical care or treatment for mental illness or tuberculosis at a state institution at public expense, or is receiving medical care and services at any state or federal institution at public expense.

(f) Is an unmarried applicant or is separated from his spouse and whose income, after deduction of medical expenses paid by the applicant, and deduction of social security payments, does not exceed one thousand five hundred (\$1,500.00) dollars during the twelve month period prior to application; or is a married applicant whose income, after deductions of medical expenses incurred and social security payments, combined with the income of his spouse (provided they are living together), does not exceed twenty-five hundred (\$2,500.00) dollars. Income shall not include

shelter value of the residence occupied by applicant, nor the value of gifts or services contributed to applicant, nor gratuitous payments received from members of his family.

(g) Is an unmarried applicant or is separated from his spouse whose resources do not exceed ten thousand (\$10,000.00) dollars; or is a married applicant living with his or her spouse and their combined resources do not exceed the value of fifteen thousand (\$15,000.00) dollars. The value of resources shall be the current market value minus any encumbrances against such resources. In determining resources, there shall be excluded real property occupied as a residence under the unencumbered value of twenty thousand (\$20,000.00) dollars; household goods and furnishings, as automobile, personal belongings and tools or equipment necessary for a trade, occupation or profession, and the cash values of life insurance policies in excess of twenty thousand (\$20,000.00) dollars.

Section 3. Amount of assistance. The amount of medical aid for the aged granted in behalf of any person shall be determined by a county department of public welfare according to the rules and regulations and standards of assistance established by the state department.

Section 4. Application for assistance. Application for assistance under this part shall be made to the county office of the county department in the county in which the person is residing. The application shall be presented in the manner and on the form prescribed by the state department. All individuals wishing to apply shall have the opportunity to do so.

Section 5. County share of participation. Each county department shall reimburse the state department in the amount of one-half ($\frac{1}{2}$) of the approved medical aid for the aged payments paid by the state department in behalf of persons in the county each month, exclusive of the federal share. Such reimbursement shall be credited to the medical aid for the aged account of the state department.

Section 6. Investigation and determination of eligibility. The county department shall promptly investigate and determine the eligibility of applicant under this act. Each applicant should be informed of his right to a fair hearing and of the confidential nature of the information given. The county department shall determine whether or not the applicant is eligible for assistance under this act. The county public welfare board shall review the determination of eligibility or non-eligibility made by the county department. Aid shall be furnished promptly to eligible persons. Each applicant shall receive written notice of the decision concerning his application and right of appeal shall be secured to the applicant under the procedures of Section 71-223, R.C.M. 1947.

Section 7. Redetermination of eligibility. All medical aid for the aged cases approved under this part shall be reviewed as often as shall be required under the rules and regulations of the state department.

Section 8. Change of residence of person receiving medical assistance for the aged.

A recipient who moves his residence to another county in this state shall continue to receive assistance, with the approval of the state department. The county from which he has moved shall be charged by the state department for such county share of his assistance for a period of one (1) year after which time the county to which he has moved shall be charged therefor. The state department will determine the date of transfer. The county from which a recipient moves shall notify the state department and the county to which the recipient moves.

Section 9. Confidential records. All applications, information and records concerning any applicant or recipient of medical assistance for the aged under the provisions of this act shall be confidential and shall not be disclosed nor used for any purpose not directly connected with the

administration of medical assistance for the aged. The violation of this provision is hereby made a misdemeanor and is punishable as such.

Section 10. Exclusion of lien. No applicant hereunder shall be required to execute an agreement for lien on his real property. If an eligible person receives medical aid under this act, and dies leaving no surviving dependent or spouse, the state department shall be entitled to recover the amount of assistance paid from the estate by claiming the same in the estate administration proceedings. Recoveries shall be pro-rated to the county involved in medical assistance in the proportion that it contributed to the medical assistance.

Section 11. Section 71-106, R.C.M., 1947, is amended to read as follows:

"71-106. Support of poor and indigent persons—tax levy. The board of county commissioners has jurisdiction and power under such limitations and restrictions as are prescribed by law.

To provide for the care and maintenance of the indigent sick, except as otherwise provided in other parts of this act, or the otherwise poor of the county; erect and maintain hospitals therefor, or otherwise provide for the same, and for said purposes to levy and collect annually, from each resident of the county, between the ages of twenty-one (21) and sixty (60) years a poll tax of two dollars (\$2.00) at a meeting of the Board of County Commissioners held in December of any year, to become effective as of January first of the following calendar year, and a tax on property not exceeding three-fifths ($\frac{3}{5}$) of one per cent (1%), which last mentioned levy shall be made at the time other tax levies are made on property, as provided by law, or either of such levies when both are not required, and to expend not to exceed five per cent (5%) of any such levy for the collection of said tax, or of any part thereof. Whenever a resolution is adopted levying a per capita tax the clerk of the board shall immediately prepare and deliver copies thereof to the County Assessor and County Treasurer. The County Assessor after receiving such copy of resolution, when making an assessment of any property belonging to any person liable for the payment of such per capita tax must enter on the assessment list, and also on any statement given to the taxpayer, showing the value of the property assessed, the amount of such per capita tax, and the County Treasurer when collecting the taxes on such property shall at the same time collect the amount of such per capita tax as shown on said statement."

Section 12. Section 71-211, R.C.M., 1947, is amended to read as follows:

"71-211. Board to act as agency of federal government—assistance to ward Indians. The state department shall act as the agent of the federal government in public welfare matters of mutual concern in conformity with this act and the Federal Social Security Act, and in the administration of any federal funds granted to the state to aid in the purposes and function of the state department.

The counties shall not be required to reimburse the state department any portion of old age assistance, medical assistance for the aged, aid to needy dependent children or aid to needy blind or aid to the totally disabled paid to ward Indians, further provided that the federal government may reimburse the State of Montana in behalf of counties, providing general relief to ward Indians, a sum in lieu of taxes which the counties would collect if the lands of such ward Indians were not in trust status. A ward Indian is hereby defined as an Indian who is living on an Indian reservation set aside for tribal use, or is a member of a tribe or nation accorded certain rights and privileges by treaty or by federal statutes. If and when the Federal Social Security Act is amended to define a 'ward Indian,' such definition shall supersede the foregoing definition."

Section 13. Section 71-216, R.C.M., 1947, is amended to read as follows:

"71-216. Powers and duties of the county board. The County Board of Public Welfare shall be responsible for establishing local policies and such rules and regulations as are necessary to govern the county department and local administration of public welfare activities except that all such policies and rules and regulations must be in conformity with general policies and rules and regulations established by the state board. The County Board of Public Welfare shall review the determinations of eligibility and amount of payment to or on behalf of individuals made by the staff of the county department for conformity with the aforesaid rules and regulations. Determinations not in conformity will be referred to the staff by the County Welfare Board for appropriate action as authorized by said board."

Section 14. Section 71-230, R.C.M., 1947, is amended to read as follows:

"71-230. Method of issuing assistance grants—reimbursement.

(a) Checks in payment of public assistance, as provided for in each part of this act, with the exception of general relief, [and with the exception of old-age assistance, aid to dependent children, aid to needy blind, and aid to the permanently and totally disabled payments made in behalf of such recipients for medical care] shall be issued by the state department upon approved certificates of award and reports of changes of such eligible grantees as are forwarded by the county department to the state department and all such checks will be mailed to the individual recipient or the appropriate vendor. The checks in payment of public assistance shall be issued in the full approved amount for each eligible approved grantee and the original monthly payment shall be from the state public welfare accounts. All public assistance checks shall represent cash on demand at full par value to the recipient and vendor.

(b) On or before the twentieth of each month the state department will present a claim for reimbursement to each county department for its proportionate share of public assistance granted in the county to recipients during the month and for vendor medical payments made on behalf of recipients in the previous month. The county department must make such reimbursement to the state department within twenty (20) days after such claim is presented.

[(e) Warrants or checks shall be issued from the poor fund of the county in payment of medical care provided in behalf of eligible recipients of old-age assistance, aid to dependent children, aid to needy blind, and aid to the permanently and totally disabled. The warrants or checks shall be identified to the category of assistance under which issued.]"

Section 15. Section 71-241, R.C.M., 1947, is amended to read as follows:

"Section 71-241. Agreement for lien on real property of recipient of public assistance other than recipients of general relief or aid to dependent children. No application for a public assistance grant, except applications made pursuant to Chapter 5, Title 71, Revised Codes of Montana, 1947 (aid to dependent children), and Chapter 3, Title 71, Revised Codes of Montana, 1947 (general relief), and for vendor medical payments in behalf of individuals, shall be approved unless the applicant shall execute and deliver with such application an agreement, in such form as the State Board of Public Welfare shall prescribe, acknowledging and agreeing that the amount of all assistance thereafter paid to the applicant, from whatever source such assistance may be derived, shall constitute an obligation and indebtedness of the applicant to the state and county which shall be secured by a lien upon all real property of the applicant then owned or acquired while a recipient of such assistance."

Section 16. Section 71-308, R.C.M., 1947, is amended to read as follows:

"71-308. Medical aid and hospitalization. Medical aid and hospitalization for persons unable to provide such necessities for themselves are hereby declared to be the legal and financial duty and responsibility of the Board of County Commissioners, except as otherwise provided in other parts of this act, payable from the county poor fund. It shall be the duty of the Board of County Commissioners to make provisions for competent and skilled medical or surgical services as approved by the State Board of Health or the State Medical Association, or in the case of osteopathic practitioners by the State Osteopathic Association or chiropractors by the State Chiropractic Association, or optometrical services as approved by the Montana Optometric Association, and dental services as approved by the Dental Association. 'Medical' or 'medicine' as used in this act refers to the healing art as practiced by licensed practitioners.

In automobile accident cases wherein transients traveling through the state of Montana are injured, medical aid and hospitalization shall be paid for by the county wherein the accident occurred and the Department of Public Welfare shall reimburse such county in full upon proper claim being made to the Department of Public Welfare; provided further, that in all other accident cases wherein such transients are injured, medical aid and hospitalization shall be paid for by the county wherein the accident occurred and the Department of Public Welfare shall reimburse such county for one-half of such medical aid and hospitalization paid by such county, upon proper claim being made to the Department of Public Welfare.

The board, in arranging for medical care for those unable to provide it for themselves, may have the care provided by the physicians appointed by such board who shall be known as county physicians or deputy county physicians, and may fix a rate of compensation for the furnishing of such medical attendance.

The Board of County Commissioners shall have the responsibility of making suitable arrangements to provide respectable burial for those for whom such expenses are not otherwise available."

Section 17. Section 71-309, R.C.M., 1947, is amended to read as follows:

"71-309. Primary obligations of the Board of County Commissioners. Except as otherwise provided in other parts of this act, it is hereby declared to be the primary legal duty and financial obligation of the Board of County Commissioners to make such tax levies and to establish such budgets in the county poor fund as provided by law and as are necessary to provide adequate institutional care for all such indigent residents as are in need of institutional care and to make such tax levies and establish such budgets in the county poor fund as are necessary to make provisions for medical aid and services and hospitalization for all indigent county residents. All such public assistance and services shall be charges against and payable from the county poor fund."

Section 18. Section 71-402, R.C.M., 1947, is amended to read as follows:

"Eligibility requirements for old age assistance. Old age assistance shall be granted any person who:

- (a) Has attained the age of sixty-five (65);
- (b) Has income which is inadequate to provide a reasonable subsistence compatible with decency and health;
- (c) Has been a resident of the state of Montana for at least five (5) years during the nine (9) years immediately preceding his application for old age assistance;

(d) Has resided in and been an inhabitant of the state and county in which application is made for at least one (1) year immediately preceding the date of receipt of this assistance. Any person otherwise qualified who has resided in the state for five (5) years or more during the nine (9) years immediately preceding the application, one (1) year of which state residence shall have been immediately prior to the date of receipt of this assistance, and who has no legal county residence, shall file his application in the county in which he is residing, and his assistance shall be paid entirely from state funds until he can qualify as having a legal residence in the said county;

(e) Is not at the time of receiving assistance an inmate of any public institution, except as a patient in a public medical institution; is not a patient in an institution for the treatment of tuberculosis or mental illness or is not a patient in a medical institution as a result of having been diagnosed as having tuberculosis or psychosis;

(f) Has not made an assignment or transfer of property for the purpose of rendering himself eligible for assistance under this act at any time within two (2) years immediately prior to the filing of application for assistance pursuant to the provisions of this act;

(g) Is not receiving aid to dependent children, aid to needy blind or aid to the permanently and totally disabled, or in-patient medical aid for the aged, for himself or herself.

Section 19. Section 71-405, R.C.M., 1947, is amended to read as follows:

"71-405. County share of participation. Each county department shall reimburse the state department in the amount of one third (1/3) of the approved old age assistance grants paid by the state department to persons in the county each month, exclusive of the federal share. Each county department shall reimburse the state department in the amount of one-half (½) of the approved old age assistance vendor medical payments on behalf of persons in the county each month, exclusive of the federal share. Such reimbursements shall be credited to the old age assistance account of the state department."

Section 20. Section 71-406, R.C.M., 1947, is amended to read as follows:

"71-406. Investigation of applications. Whenever a County Public Welfare Department receives an application for an old age assistance grant or for medical care on behalf of an old age assistance recipient, an investigation shall be promptly made. The investigation of each applicant for old age assistance shall be conducted by the county board through a staff worker of the county department. Each applicant shall be informed of his right to a fair hearing and of the confidential nature of information secured with regard to his circumstances. Upon completion of such investigation the County Welfare Board shall determine whether the applicant is eligible for and should receive a grant, the amount of the assistance and the date on which assistance shall begin. Aid shall be furnished promptly to all eligible persons. Each applicant shall receive written notice of the decision concerning his application."

And as amended, shall be designated and printed as House Substitute for House Bill No. 19, and as amended, do pass.

SHEEHY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by

the Senate Committee on Fish and Game, report adopted, and the same are herewith returned to the House:

House Bill No. 44, introduced by Fischer & Delano.

House Bill No. 69, introduced by Fischer, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Sartz that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Harper of Park in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 216 do pass.

That consideration of House Bill No. 108 be passed for this sitting.

That House Bill No. 296 do pass.

That House Bill No. 394 do pass.

That House Bill No. 387 do pass.

That House Bill No. 383 be amended as follows:

Amend subsection (c) of Section 2 in the printed bill on page 2 in line 22, by adding a comma after the word "service" and before the word "commodity".

Amend subsection (d) of Section 2 in the printed bill by striking out in line 29 on page 2 the word "included", and inserting in lieu thereof the word "includes".

Amend subsection (e) of Section 2 in the printed bill on page 2 in line 33 by adding a comma after the word "Service" and before that portion of the word "occupancy" which is contained in said line 33.

Amend subsection (e) of Section 2 in the printed bill by striking out in line 54 on page 3 the word "whether" and inserting in lieu thereof the word "where".

And as so amended, do pass.

That House Bill No. 254 do pass.

That House Bill No. 118 do pass.

That House Bill No. 240 do pass.

That House Bill No. 133 do pass.

That House Bill No. 473 do pass.

That House Bill No. 337 do pass.

That House Bill No. 385 do pass.

That House Bill No. 53 do pass.

That House Bill No. 430 do pass.

That House Bill No. 389 do pass.

That House Bill No. 159 do pass.

That House Bill No. 83 do pass.

That the Committee rise and report.

HARPER, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 171 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eglund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gill, Haines, Hanks, Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Gilfeather, Gilligan, Gunderson, Hall, Holtz, McDonald, Willits. Total 7.

Absent or not voting: Garrison, Schye. Total 2.

Excused: None.

House Joint Resolution No. 35 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 79.

Noes: Boughton, East, Falkenstern, Felt, Hanks, James, Jenkins, O'Hair, Pierce, Selstad, Williams, Woodard. Total 12.

Absent or not voting: Garrison, Schye, Tracy. Total 3.

Excused: None.

House Bill No. 134 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary,

Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Garrison, Schye. Total 2.

Excused: None.

House Bill No. 219 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 79.

Noes: Boughton, Crum, Cummings, Dye, Flynn, James, Jenkins, MacCalman, Mather, Nutting, Selstad, Smiley, Smith, Zimmer. Total 14.

Absent or not voting: Garrison. Total 1.

Excused: None.

House Bill No. 308 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: Deschamps. Total 1.

Absent or not voting: Sheehy. Total 1.

Excused: None.

House Bill No. 273 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz,

Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: Boughton, Smiley. Total 2.

Absent or not voting: None.

Excused: None.

House Bill No. 261 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Cummings, Jensen, Johnson, MacCalman, Slaby, Twedt. Total 6.

Absent or not voting: None.

Excused: None.

House Bill No. 237 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: Swanz. Total 1.

Excused: None.

House Bill No. 371 was passed by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, McDonald, McNamara, McNamer, Meccage, Nefzger, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 73.

Noes: Asbjornson, Atkins, Bashor, Broeder, Crum, Felt, Garrison, James, Jensen, Judge, Mather, Nelson, Pierce, Rygg, Schye, Sheehy, Spilde, Swanz, Williams, Woodard. Total 20.

Absent or not voting: Lucas. Total 1.

Excused: None.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner.

Senate Bill No. 38 was concurred in as amended by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Schye, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Cregg, Cummings, Dye, Gilfeather, Gilligan, McNamer, Obstarczyk, Raundal, Rehberg, Selstad, Sheehy, Willits. Total 12.

Absent or not voting: None.

Excused: None.

Senate Bill No. 114 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 81.

Noes: Deschamps, Gill, Gunderson, Lombardi, Lund, Mather, Shugrue, Sullivan, Tracy. Total 9.

Absent or not voting: Lucas, MacCalman, Scherf, Zimmer. Total 4.

Excused: None.

February 5, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Joint Resolution No. 3.

HARPER, Chairman.

I have examined House Joint Resolution No. 3, introduced by me and find the same to be correct.

HARPER

The Speaker signed House Joint Resolution No. 3 in open session, the title having first been read.

Motion was made by Cerovski that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 5, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 236, 233, 386, 294, 133, 387, 83, 337, 430, 473, 118, 254.

JAMES, Vice-Chairman.

February 5, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Joint Resolution No. 3, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:10 o'clock p. m., delivered to the Governor for his approval.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 417, respectfully report as follows: That House Bill No. 417 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 455, respectfully report as follows: That House Bill No. 455 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 456, respectfully report as follows: That House Bill No. 456 do not pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 460, respectfully report as follows: That House Bill No. 460 do not pass.

TRACY, Chairman.

Report adopted.

February 5, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolutions Nos. 23, 28, 27 and House Bills Nos. 295, 321, 402, 228, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 be amended as follows:

Delete line 23 on page 2 of the original bill in its entirety and add in lieu thereof the following:

“(c) The Chairman of the Montana Livestock Sanitary Board.”

Delete line 29 on page 2 of the original bill in its entirety and add in lieu thereof the following:

“(iii) A registered professional engineer with experience or training in the field of air pollution control.”

Delete line 30 on page 2 of the original bill in its entirety and add in lieu thereof the following:

“(iv) A person engaged in the management of a private manufacturing concern.”

Delete all of Section 8 which includes lines 24 through 32 on page 4 of the original bill and lines 1 through 9 on page 5 of the original bill and insert in lieu thereof the following:

“Section 8. Actions prohibited. (1) A person shall not discharge into the atmosphere from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

(2) In any proceedings before a court or before the commission proof of the discharge into the atmosphere from any single source of emission whatsoever of any air contaminant for a period or periods aggregating more than three (3) minutes in any one (1) hour which is:

(a) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

(b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subparagraph (a) of this subsection.

Either (a) or (b) shall prima facie be proof of a violation of subsection (1) of this section.

And as amended, do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 441, respectfully report as follows: That House Bill No. 441 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 442, respectfully report as follows: That House Bill No. 442 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 453, respectfully report as follows: That House Bill No. 453 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 454, respectfully report as follows: That House Bill No. 454 do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 be amended as follows:

Page 3, line 8, after the word "rendered" add a "period" and strike the balance of line 8 "and there shall not."

And further amended

Page 3, line 9, strike in its entirety.

And further amended

Page 3, line 10, strike the words "a trial de novo."

And further amended

Page 3, line 13, delete "period" and add the words "and upon legal and competent evidence."

Page 3, line 20, delete "period" and add the words "and upon legal and competent evidence."

And further amended

Page 3, line 20, continue paragraph by adding "In the event of appeal the decision by the commission, based on the insufficient or incompetent evidence, shall not shift the burden of proof from the party upon whom it was originally imposed."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 436, respectfully report as follows: That House Bill No. 436 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 437, respectfully report as follows: That House Bill No. 437 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 438, respectfully report as follows: That House Bill No. 438 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 do pass.

TRACY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 5, 1965 at 2:10 p.m.

Received of Chairman, Bills Committee, Harper, House Joint Resolution No. 3.

TIM BABCOCK, Governor.

By Jeanie Morris.

MESSAGES FROM THE SENATE

February 5, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 93, introduced by Hafferman, et al.

Senate Bill No. 104, introduced by Gerard, et al.

Senate Bill No. 144, introduced by Gerard, et al.

Senate Joint Resolution No. 10, introduced by Moritz, et al.

Senate Joint Resolution No. 13, introduced by Thiessen and Nees.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski, having voted on the prevailing side, that the House reconsider its action in adopting an adverse committee report on House Bill No. 116. Motion carried.

Motion was made by Cerovski that House Bill No. 116 be rereferred to the Committee on Education. Motion carried.

Motion was made by McNamer that House Bill No. 108 be removed from Second Reading and rereferred to the Committee on Appropriations.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriations measure at length, and referred to committees:

House Bill No. 515, introduced by Crum, Schye, Selstad, Smiley: A bill for an act entitled: "An act relating to the apportionment, membership, terms and compensation of the Legislative Assembly; and repealing

Sections 43-101 through 43-106, 43-203, 43-204, 43-210, and 43-311, R. C. M. 1947." Referred to Committee on Reapportionment.

House Bill No. 516, introduced by Crum, Schye, Selstad, Smiley: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Montana Constitution relating to the apportionment and sessions of the Legislative Assembly; providing that the Senate and House of Representatives of the Legislative Assembly shall each be apportioned on the basis of population; providing for annual sessions not to exceed 180 days; amending Sections 5 and 6, Article V, and Sections 2 and 3, Article VI; and repealing Sections 4 and 45, Article V, and Sections 4, 5 and 6, Article VI." Referred to Committee on Reapportionment.

House Bill No. 517, introduced by Wayrynen, Bashor: A bill for an act entitled: "An act creating an off-premises beer license account in the earmarked revenue fund, providing for an appropriation, and amending Section 4-333, R. C. M. 1947, concerning off-premise beer licenses." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 93, introduced by Hafferman, Huntley, Reardon, Siderius: A bill for an act entitled: "An act to amend Section 11-1024, Revised Codes of Montana, 1947, to increase amount of governing groups participation in group health plans from not to exceed five dollars (\$5.00) per month to not to exceed seven dollars and fifty cents (\$7.50) per month." Referred to Committee on Affairs of Cities.

Senate Bill No. 104, introduced by Gerard, Balgord, Hibbard: A bill for an act entitled: "An act amending Section 89-103, R.C.M. 1947, to provide for an increase in the membership of the State Water Conservation Board; and providing for compensation for the services of the appointed members of said board in the amount of twenty-five dollars (\$25.00) per day." Referred to Committee on State Administration.

Senate Bill No. 144, introduced by Gerard, McGowan, Balgord, Brenner, Hauk, Graham: A bill for an act entitled: "An act amending Section 89-102 (b), R.C.M. 1947, to enlarge the scope of State Water Conservation Board purposes to allow construction of flood prevention, drainage, fish and wildlife and recreation projects; development of power; amending Section 89-102 (c), R.C.M. 1947, to allow the State Water Conservation Board to calculate the value of public benefits as a non-reimbursible item in determining the cost of construction; and amending Section 89-102 (d) R. C. M. 1947, to include drainage districts and flood control districts as owners." Referred to Committee on Public Health, Welfare and Safety.

Senate Joint Resolution No. 10, introduced by Moritz, McGowan, Kafka: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Honorable Mike Mansfield, the Honorable Lee Metcalf, United States Senators from the State of Montana; the Honorable Arnold Olsen and the Honorable James Battin, United States Representatives from the State of Montana; to General George Walker of the Corps of Engineers, Omaha Division; that careful consideration be given to water and power development on the Missouri river. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 13, introduced by Thiessen, Nees: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the Legislative Council to study water conservancy districts and report its findings to the Fortieth Legislative Assembly of the State of Montana. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Sartz that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading under the rules of the previous sitting. Motion carried.

Harper of Park in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 117 do pass.

That House Bill No. 136 do pass.

That House Bill No. 270 do pass.

That House Bill No. 388 do pass.

That House Bill No. 336 do pass.

That House Bill No. 395 do pass.

That House Bill No. 153 do pass.

That House Bill No. 7 do pass.

That House Bill No. 154 be amended as follows:

Amend Section 1 of the printed bill by inserting a period "." after that portion of the word "transferred" at the beginning of said line, and adding the following material: "Under this subsection, the three (3) miles shall be measured between a residence and a schoolhouse as provided in Section 75-3411, R.C.M. 1947, insofar as the same may apply;"

And as so amended, do pass.

That House Bill No. 173 do pass.

That consideration of House Bill No. 269 be passed for the day.

That consideration of House Bill No. 231 be passed for the day.

That House Joint Resolution No. 37 do pass.

That Senate Amendment to House Bill No. 89 be concurred in.

That Senate Amendment to House Bill No. 97 be concurred in.

That Senate Bill No. 140 be concurred in.

That the Committee rise and report.

HARPER, Chairman.

Report adopted.

Motion was made Cerovski, and carried, that the House adjourn until 10:00 a.m. Saturday, February 6, 1965.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

THIRTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 6, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Brenner, Gerke, Laas, Scherf, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-third Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 5, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 393, 303, 164, 477, 397, 178, 420, and House Joint Resolutions Nos. 22, 26, 4 and 25, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

February 5, 1965

Mr. Speaker: We, your committee on Bills, beg leave to report the following bills correctly engrossed: House Bill Nos. 296, 216, 240, 394, 385, 389, 159, 383, 60 and House Substitute for House Bill No. 53.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 470, respectfully report as follows: That House Bill No. 470 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 339 respectfully report as follows: That House Bill No. 339 be amended as follows:

1. Strike all the material following the introduction of the original bill and insert in lieu thereof the following:

“69-3209, 69-3210, 69-3211

A bill for an act entitled: “An act to provide visiting nurse services to be performed by public health nurses at the direction of licensed physicians and surgeons; providing that county, city-county or district boards of health may accept payment for such services either directly or by contract with the recipients or public agencies; and providing that payments made for visiting nurse services shall be deposited in a special fund to be used to defray the cost of the services.”

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. In any case where a person is confined to his home or usual place of abode under the care of a licensed physician and surgeon and said physician and surgeon determines that such person requires nursing services which can be provided by a duly qualified nurse who visits said person at the direction of said physician and surgeon, said visiting nurse services may be provided by nurses employed by the county, city-county or district board of health.

Section 2. No visiting nurse services as provided for in this act shall be performed except as directed by a duly licensed physician and surgeon who shall have determined a need for such services. In addition to deter-

mining the need for such services in the initial instance, said physician and surgeon directing that such services be performed shall specify the type of services to be performed and the duration of the services.

Section 3. Persons who receive visiting nurse services as provided for in this act shall pay for them at rates to be determined by the county, city-county, or district board of health which employs the nurses who perform the services provided for in this act. The county, city-county, or district board of health may accept payment for such services from persons or public or private agencies on behalf of the recipients, either directly or by contract with such persons or agencies. The amounts of money received from persons to whom such visiting nurse services are rendered shall be deposited in a special fund and used to defray the expense of providing the service.

Section 4. All acts and parts of acts in conflict herewith are hereby repealed.

Section 5. This act shall be in full force and effect from and after its passage."

And as amended, do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 482, respectfully report as follows: That House Bill No. 482 do not pass.

JUDGE, Chairman.

Motion was made by Judge for adoption of the Committee report. Substitute motion was made by Stranahan that House Bill No. 482 be printed and placed on Second Reading. Substitute motion carried.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 21, respectfully report as follows: That House Joint Resolution No. 21 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 372, respectfully report as follows: That House Bill No. 372 do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 be amended in the original bill as follows:

On page 2, line 2 by adding another section as follows:

"Section 6. The Budget Director shall make available on request to any member of the Legislative Assembly all background information used in developing a fiscal note."

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 18, respectfully report as follows: That House Joint Resolution No. 18 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 399, respectfully report as follows: That House Bill No. 399 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 486, respectfully report as follows: That House Bill No. 486 do not pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 be amended as follows:

Subsection 25 of Section 1 being line 23 on page 7 of the original bill, by adding the following at the end of said subsection 25 "Provided further all lease and easement agreements shall itemize uses as listed in subparagraph 13, Section 26-104 R. C. M. 1947."

And as amended, do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 450, respectfully report as follows: That House Bill No. 450 be amended as follows:

In the title, page 1, lines 9, 10 and 11 of the original bill, strike the following clause after the semicolon ";": "providing that official members may be employees or office holders of political subdivisions appointing them" and inserting in lieu thereof the following: "providing for the selection of one member by the appointed officer and citizen members with the consent and approval of the Board of County Commissioners and the City Council"

And further amend on page 1, line 21, by striking the word and figure "eight (8)" and inserting in lieu thereof the word and figure "nine (9)"

And further amend on page 2, between lines 3 and 4 the following material:

"e. The ninth member shall be selected by the eight (8) officers and citizen members hereinabove provided for with the consent and approval of the board of County Commissioners and the City Council."

And as amended, do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 be amended as follows:

Be amended in Section 1, lines 19 through 22, page 1 of the original bill by deleting the following: "In the national interest, dependents of persons in the federal service shall be considered residents for fee purposes after residing in the state for one year, under rules promulgated by the State Board of Education ex officio Board of Regents." and inserting in lieu thereof the following: "In the national interest persons in the federal service who are registered to vote in the State of Montana and who have resided in the state for at least one year shall be considered residents for fee purposes under regulations promulgated by the State Board of Education, ex officio Regents of the University of Montana."

And as amended, do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 be amended as follows:

1. Amend Section 1, page 3 of the original bill by deleting all that material in lines 5 through 18 and insert in lieu thereof the following material:

"When approval of attendance in another district within or without the county has been granted, the district in which such child resides shall pay to the school district where such child attends, an amount based on the following tuition rates: In the case of attendance at an elementary school with an average number belonging up to one hundred (100), the tuition to be paid shall be two hundred [twenty-five] seventy-five dollars [(\$225)] (\$275); where the school attended has an average number belonging between one hundred one (101) and three hundred (300), the tuition shall be two hundred and fifty dollars [(\$200)] (\$250); and where the school attended has an average number belonging over three hundred (300) the tuition rate shall be [one hundred seventy-five dollars (\$175)] two hundred twenty-five dollars (\$225) per pupil."

(Matter in brackets is deleted.)

2. Amend Section 2, page 7 of the original bill by deleting all that material in lines 3 through 13 and insert in lieu thereof the following material:

"number of pupils attending high school outside of his county by [two hundred fifty] three hundred dollars [(\$250)] (\$300) in the case of attendance at a high school with an average number belonging up to one hundred (100) pupils; two hundred [twenty-five] seventy-five dollars [(\$225.00)] (\$275) in case of attendance at a high school with an average number belonging from one hundred one (101) to four hundred (400); and two hundred fifty dollars [(\$200.00)] (\$250) in case of attendance at a high school with an average number belonging over four hundred (400); provided further, that the pupil has attended at least forty (40) days."

(Deleted material in brackets.)

And as amended, do pass.

AASHEIM, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Healy that House Bill No. 174 be removed from Second Reading and rereferred to Committee on Ways and Means. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under rules of the previous sitting. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 269 do not pass.

That House Bill No. 231 be placed at the bottom of the list.

That consideration of House Bill No. 121 be passed for the day.

That House Bill No. 122 be amended by striking out in line 12 of the title the word "Household" and

Amend Section 8 by striking out in lines 2 and 3 "from his own household".

And as so amended, do pass.

That consideration of House Bill No. 194 be passed for the day.

That consideration of House Bill No. 468 be passed for the day.

That House Bill No. 313 do pass.

That House Bill No. 357 do pass.

That House Bill No. 449 do pass.

That House Bill No. 318 be amended as follows:

Amend Section 1 by striking out in line 9 of the printed bill the word "shall", and inserting in lieu thereof the word "may",

And further amend Section 1 on line 16, page 1 of the original bill, being line 5, page 1 of the printed bill by inserting a comma “,” after the word “straw”, delete the word “or”, and insert a comma “,” after the word “fruit” and add the words “or other material”.

And as so amended, do pass.

That consideration of House Bill No. 302 be passed for the day.

That House Bill No. 373 do pass.

That House Bill No. 354 do pass.

That the committee rise and report.

TWEDT, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 236 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O’Hair, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Dye, Falkenstern, Jenkins, McNamer, Rehberg, Smiley, Smith, Spilde, Williams. Total 9.

Absent or not voting: Loman. Total 1.

Excused: Brenner, Gerke, Laas, O’Leary. Total 4.

House Bill No. 233 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Healy, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Aasheim, Gunderson, Harper, Holtz, O’Hair, Raundal. Total 6.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O’Leary. Total 4.

House Bill No. 386 was passed by the following vote:

Ayes: Atkins, Bailey, Bardanouve, Bashor, Casey, Cerovski, Christiansen, Cummings, East, Egan, Eklund, Eskildsen, Falkenstern, Garrison, Gil-

feather, Gill, Gunderson, Healy, Holtz, Jenkins, Judge, Leuthold, Lewis, McDonald, McNamara, McNamer, Nelson, Nichols, Nutting, O'Hair, Prevost, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smith, Sullivan, Tooke, Tracy, Twedt, Watt, Williams, Willits, Mr. Speaker. Total 46.

Noes: Aasheim, Asbjornson, Bollinger, Boughton, Broeder, Cregg, Crum, Delano, Deschamps, Dye, Felt, Fischer, Flynn, Gilligan, Haines, Hall, Hanks, Harper, James, Jensen, Johnson, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McOmber, Meccage, Nefzger, Obstarczyk, Pierce, Raundal, Rehberg, Rygg, Scherf, Schye, Smiley, Spilde, Stranahan, Swanz, Ulmer, Woodard, Zimmer. Total 44.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 294 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 85.

Noes: Jenkins, Loman, MacCalman, Pierce, Woodard. Total 5.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 133 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 387 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair,

Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer. Total 80.

Noes: Boughton, Deschamps, Harper, Jensen, McNamer, Selstad Smiley, Smith, Williams, Mr. Speaker. Total 10.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 83 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Casey, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 59.

Noes: Asbjornson, Boughton, Broeder, Cerovski, Crum, Delano, Dye, East, Falkenstern, Garrison, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, MacCalman, Nelson, Nichols, Nutting, Pierce, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Williams, Woodard. Total 31.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 337 failed to pass by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Broeder, Cerovski, Christiansen, Cregg, Cummings, Eskildsen, Fischer, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Jensen, Johnson, Leuthold, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, Prevost, Rygg, Sartz, Schepens, Scherf, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Willits, Zimmer, Mr. Speaker. Total 44.

Noes: Asbjornson, Bailey, Bollinger, Boughton, Casey, Crum, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Flynn, Garrison, Haines, Hanks, James, Jenkins, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Raundal, Rehberg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Watt, Williams, Woodard. Total 44.

Absent or not voting: Judge, Sheehy. Total 2.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 430 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sulli-

van, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Boughton, Broeder, Deschamps, Flynn, Rygg. Total 5.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 473 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Bashor, Harper, Lucas, Rygg, Sheehy, Smiley, Smith, Sullivan. Total 8.

Absent or not voting: McNamara. Total 1.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 118 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 254 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 74.

Noes: Asbjornson, Boughton, Casey, Gill, Lucas, Pierce, Rehberg, Rygg, Selstad, Smiley, Smith, Spilde, Ulmer, Williams, Woodard. Total 15.

Absent or not voting: Jenkins. Total 1.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 296 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bardanouve, Bashor, Broeder, Casey, Christiansen, Cregg, Crum, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Willits, Mr. Speaker. Total 68.

Noes: Bailey, Bollinger, Boughton, Cerovski, Cummings, Deschamps, Gilligan, Jensen, Johnson, Lund, McOmber, Pierce, Rehberg, Scherf, Slaby, Smith, Twedt, Watt, Williams, Woodard, Zimmer. Total 21.

Absent or not voting: McNamara. Total 1.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 216 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 89.

Noes: Zimmer. Total 1.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 240 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 80.

Noes: Asbjornson, Boughton, Broeder, Jensen, Lewis, Rygg, Smiley, Smith, Woodard. Total 9.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

House Bill No. 394 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Healy, Holtz, James, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Zimmer, Mr. Speaker. Total 72.

Noes: Bardanouve, Broeder, East, Falkenstern, Garrison, Hanks, Harper, Jenkins, Jensen, MacCalman, Pierce, Rygg, Selstad, Smiley, Smith, Swanz, Willits, Woodard. Total 18.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary. Total 4.

House Bill No. 385 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Johnson, Loman, Mather, McNamer. Total 4.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

House Bill No. 389 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Felt, Gilligan, Loman, Lucas, Mather. Total 5.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

House Bill No. 159 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy,

Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 80.

Noes: Cregg, Deschamps, Dye, East, Haines, Pierce, Smiley, Smith, Woodard. Total 9.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

House Bill No. 383 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smiley, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 80.

Noes: Asbjornson, Falkenstern, Garrison, Jenkins, Schye, Smith, Spilde, Stranahan, Woodard. Total 9.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

House Bill No. 60 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Mr. Speaker. Total 73.

Noes: Asbjornson, Boughton, Crum, Deschamps, Dye, Falkenstern, Haines, Lund, McNamer, Schye, Selstad, Smiley, Smith, Spilde, Williams. Total 15.

Absent or not voting: Zimmer. Total 1.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

House Substitute for House Bill No. 53 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg,

Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Bollinger, Felt. Total 2.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

Senate Amendments to House Bill No. 89 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Deschamps. Total 1.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

Senate Amendment to House Bill No. 97 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Boughton, Hanks, Jensen, Loman, Selstad, Smith, Stranahan. Total 7.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 140 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDon-

ald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Boughton. Total 1.

Absent or not voting: None.

Excused: Brenner, Gerke, Laas, O'Leary, Scherf. Total 5.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

February 5, 1965

Honorable Ted James
President of the Montana Senate, and
Honorable Ray J. Wayrynen
Speaker of the Montana House of Representatives
Capitol
Helena, Montana

Gentlemen:

Please be advised that in accordance with the express directions of your honorable bodies, copies of House Resolution No. 3 have this day been sent to:

The Honorable Lyndon B. Johnson
President of the United States

The Honorable Hubert H. Humphrey
President of the United States Senate

The Honorable John W. McCormack
Speaker of the United States House of Representatives

The Honorable Kathryn O'Hay Granahan
United States Treasurer

The Honorable Mike Mansfield

The Honorable Lee Metcalf
Senators from Montana

The Honorable Arnold Olsen

The Honorable James F. Batten
Representatives from Montana.

Sincerely yours,

FRANK MURRAY,
Secretary of State.

REPORTS OF STANDING COMMITTEES

February 6, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 99, 223, 226, 451, 472, 368, 235, 195, 418, 438, 427, beg leave

to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 6, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill Nos. 398, 437, 365, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

February 6, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 117, 270, 136, 395, 153, 388, 173, 336 and House Joint Resolution No. 37, and House Bills Nos. 7, 449, 357 and 313.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 488, respectfully report as follows: That House Bill No. 488 do not pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 483, respectfully report as follows: That House Bill No. 483 do pass.

BRENNER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 be amended as follows:

1. Amend page 1 of the original bill in line 33 by deleting the words "commissioner of law enforcement" and inserting in lieu thereof the word "board".

2. Amend page 3 of the original bill in lines 24 and 25 by deleting the words "commissioner of law enforcement" and inserting in lieu thereof the word "board".

3. Amend page 3 of the original bill in line 27 by deleting the words "commissioner of law enforcement" and inserting in lieu thereof the word "board", and by deleting the word "his" and inserting in lieu thereof the word "its".

4. Amend page 4 of the original bill in line 1 by deleting the words "commissioner of law enforcement" and inserting in lieu thereof the word "board".

5. Amend page 9 of the original bill in line 23 by deleting the words "contractors and".

6. Amend page 9 of the original bill by adding to Section 16 the following material: "All Montana resident contractors doing business on the effective date of this act shall be qualified to receive said license if application is made within the time provided herein."

And as amended, do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do not pass.

JUDGE, Chairman.

Motion was made by Judge for adoption of the committee report.

Substitute motion was made by Stranahan that House Bill No. 260 be rereferred to the Committee on Ways and Means. Motion carried.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 487, respectfully report as follows: That House Bill No. 487 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 485, respectfully report as follows: That House Bill No. 485 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 481, respectfully report as follows: That House Bill No. 481 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 9, respectfully report as follows: That House Joint Resolution No. 9 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 459, respectfully report as follows: That House Bill No. 459 be amended as follows:

1. Amend page 2 of the original bill in line 1 by adding after the word "and" the words "except for precinct committeemen and committeewomen".

And as amended, do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 445, respectfully report as follows: That House Bill No. 445 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do not pass.

WATT, Chairman.

Motion was made by Watt for adoption of the Committee report.

Substitute motion was made by Felt that House Bill No. 378 be printed and placed on Second Reading. As a substitute motion to the previous substitute motion, Felt moved that House Bill No. 378 be rereferred to the Committee on Reapportionment. Motion carried.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do not pass.

WATT, Chairman.

Motion was made by Watt for adoption of the committee report.

Substitute motion was made by Harper that House Bill No. 245 be printed and placed on Second Reading. Substitute motion failed. Original motion that House Bill No. 245 do not pass was adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 be amended as follows:

Page 1, line 15, of the original bill, strike the word "sixteen" and insert in lieu thereof the word "fifteen".

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 be amended as follows:

Line 5 in the title of the original bill, strike the word "and" after the word "knowledge".

And further amend line 6, in the title of the original bill, strike the word "consent" before the word "of".

And further amend line 8, in the title of the original bill, strike the "period" and "quote" and add "semicolon" and the following words: "persons acting for news media; and persons speaking at public meetings or given warning of any such recording."

And further amend line 11, of the original bill—after Section 1, strike lines 11, 12, 13, 14, and 15, through the word "punishable" and insert in lieu thereof "It shall be unlawful to record or cause to be recorded by use of any hidden electronic or mechanical device which reproduces the human voice, a human conversation without the knowledge of all parties to the conversation. Violation hereof shall constitute a felony, and a conviction thereof shall be punishable".

And further amend line 22, delete period after the word "duty" and insert "semicolon" and the following words "persons acting for news media; and persons speaking at public meetings or given warning of such recording."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 463, respectfully report as follows: That House Bill No. 463 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 464, respectfully report as follows: That House Bill No. 464 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 480, respectfully report as follows: That House Bill No. 480 be amended as follows:

Page 1, line 21, delete "period and quote" after the word "lender".

And further amend on line 21, by adding the following to the end of the paragraph "for the use or the detention of money actually loaned."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do not pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Joint Resolution No. 8, respectfully report as follows: That House Joint Resolution No. 8 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Joint Resolution No. 7, respectfully report as follows: That House Joint Resolution No. 7 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 be amended as follows:

Page 1, lines 4 and 5 of the title in the original bill by striking the words "Legislative Assembly" and inserting the words "State Senate".

And further amend Section 1, in lines 13 and 14 of page 1 thereof by striking the words and figures as follows: ", and the House of Representatives shall consist of one hundred (100) members".

And further amend Section 1, by deleting from line 14 of the original bill the word "legislative" and insert in lieu thereof "senatorial".

And further amend Section 1, line 15 thereof by striking the words "and Representatives".

Further amend Section 1 in line 17 by striking therefrom the words "No. of Representatives" and by further striking all of the figures in column under those words.

Further amend by striking Section 3 in its entirety—page 3, lines 16-17-18, and inserting in lieu thereof the following: "Section 3. Vacancies except for death occurring in either house of the Legislative Assembly shall be filled by election upon proclamation of the Governor. Vacancies by death shall be filled by the Board of County Commissioners in the county where the deceased resided."

Further amend Section 4 of said bill by striking lines 21 and 22 of page 3, the words "Legislative Assembly" and inserting in lieu thereof "State Senate".

Further amend Section 5 of the original bill by striking in line 12, page 4, the words "Legislative Assembly" and inserting in lieu thereof "State Senate".

Further amend page 6, line 4, of the original bill, delete "Legislative Assembly"

And further amend, page 6, line 13 of the original bill, by inserting the words "State Representative" after the word "for".

And further amend Section 8, line 13 of page 10 of the original bill by eliminating "Legislative Assembly" and inserting "State Senate".

And further amend Section 10, line 1, page 12 of the original bill by eliminating the words "Legislative Assembly" and inserting in lieu thereof "State Senate".

And further amend Section 11, of the original bill, page 12, line 10 thereof by eliminating the words "Legislative Assembly" and inserting "State Senate".

And further amending by striking out Sections 12, 13, and 14 in their entirety—starting on page 12, line 16 of the original bill, and ending on page 13, line 22.

Also further amending the title of the original bill, page 1, line 2½ and 7, delete the numbers "43-103 and 43-104" on both lines.

And further amending page 13 of the original bill, line 20, by striking the numbers "43-103 and 43-104".

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 be amended as follows:

Page 4, line 25—by adding to Section 7 thereof an additional sentence as follows: "Each such candidate shall be a bona fide resident of the district in which he seeks election for a period of at least twelve (12) months prior to election."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

February 6, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 89 and 97.

HARPER, Chairman.

MESSAGES FROM THE SENATE

February 6, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill were this day read third time and concurred in, title and history agreed to and they are herewith returned to the House:

House Bill No. 39, introduced by Haines, et al.

House Bill No. 111, introduced by Healy, et al.

House Bill No. 132, introduced by Haines.

House Bill No. 144, introduced by Schepens, et al.

House Joint Resolution No. 13, introduced by Boughton, et al.

House Joint Resolution No. 14, introduced by Williams, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 6, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 105, introduced by Gerard, et al.

Senate Bill No. 106, introduced by Gerard, et al.

Senate Bill No. 134, introduced by Lehrkind, et al.

Senate Bill No. 177, introduced by Groff.

Senate Bill No. 182, introduced by Rieder, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 105, introduced by Gerard, Balgord, Hibbard: A bill for an act entitled: "An act creating the office of director of the State Water Conservation Board; providing for the appointment of the director of the State Water Conservation Board by the Governor; providing for the term of office, duties of the director of the State Water Conservation Board and limitations of such duties; amending Section 89-103 R. C. M. 1947, to provide for the director of the State Water Conservation Board to be a member of said board; and providing that nothing herein contained shall impair the lawful obligations of the State Water Conservation Board." Referred to Committee on State Administration.

Senate Bill No. 106, introduced by Gerard, Balgord, Hibbard: A bill for an act entitled: "An act repealing Sections 81-2006, 81-2008, 81-2010, 81-2012, R. C. M. 1947, Thereby abolishing the office of State Engineer; amending Sections 81-2007, 81-2009, 89-2018, 81-2106, 81-2108, 81-2112, 81-2125, 82-3001, 89-702, 89-847, 89-848, 89-849, 89-851, 89-907, 89-908, 89-909, 89-912, 89-914, 89-1201, 89-2901 and 89-103 R. C. M. 1947, to provide for the transfer of certain duties of the State Engineer to the director of the State Water Conservation Board; providing for the transfer of the books and records and funds of the office of the State Engineer to the State Water Conservation Board; and providing that nothing in this act contained shall impair the obligations of the State of Montana under the Yellowstone River Compact or the obligations of the State of Montana, the Carey Land Act Board or the State Water Conservation Board contracted prior to the effective date of this act." Referred to Committee on State Administration.

Senate Bill No. 134, introduced by Nees, Lehrkind, James, Brenner, Goodwin, Thomas: A bill for an act entitled: "An act to amend Section 84-202 of the Revised Codes of Montana of 1947, relating to exemptions from taxation by defining the term 'institution of purely public charity' to include organizations owning and operating for the care of the retired or aged or chronically ill which are not operated for gain or profit; repealing all acts or parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Ways and Means.

Senate Bill No. 177, introduced by Groff: A bill for an act entitled: "An act providing for transfer of title of lands known as the Lubrecht Forest from the State of Montana to the Montana State University Foundation, and directing the State Land Commissioner to convey the same by April 15, 1965." Referred to Committee on Judiciary.

Senate Bill No. 182, introduced by Rieder, Beck, Davis: A bill for an act entitled. "An act providing for payments by the state to school districts if children of a state employee who resides on the property of a state institution attend school in the district." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Twdet of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That consideration of House Bill No. 305 be passed for the day.

That House Bill No. 176 do pass.

That House Joint Resolution No. 34 be amended by striking out in line 20, page 2, of the printed resolution, after the word "to" the words "each member" and inserting in lieu thereof the words "the chairman".

And as so amended, do pass.

Motion was made by Cerovski that the committee rise and report progress and beg leave to sit again. Motion carried.

TWEDT, Chairman.

Motion was made by Cerovski for a Call of the House. Sufficient seconds arose. The Speaker ordered the Call of the House. Progress having been shown, motion was made by Cerovski that the Call of the House be dispensed with. Motion failed. The Speaker ordered the Call of the House to continue. Progress having been shown, motion was made by Cerovski that the Call of the House be dispensed with. Motion carried.

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 231 do pass.

That consideration of House Joint Resolution No. 23 be passed for the day.

That House Joint Resolution No. 28 be moved to the bottom of the list.

That House Joint Resolution No. 27 do pass.

That House Bill No. 295 be moved to the bottom of the list.

That House Bill No. 321 do pass.

That House Bill No. 402 be amended as follows:

By inserting on line 17 of the printed bill after the word "professions" the words "Said advisory council, in conjunction with the controller, shall establish minimum standards and test requirements on materials used in public buildings, works or improvements of the State of Montana, or any agency thereof, and shall maintain a file of resident duly licensed and/or registered architects and engineers showing professional qualifications for employment on public buildings, works or improvements of the State of Montana or any agency thereof."

And as amended, do pass.

That consideration of House Bill No. 228 be passed for the day.

That House Joint Resolution No. 28 be amended by striking out in the title after the words "Congressional delegation of Montana" the following words "and the Congress of the United States,"

And as so amended, do pass.

That House Bill No. 295 do pass.

That the committee rise and report.

TWEDT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Sheehy that the House revert to Order of Business No. 6. Motion carried.

Motion was made by Sheehy that House Bill No. 312 be taken from Printing and rereferred to Committee on Judiciary. Motion carried.

I have examined House Bill No. 89 introduced by me and find the same to be correct.

PIERCE.

I have examined House Bill No. 97 introduced by me and find the same to be correct.

JUDGE.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 89 and 97.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Monday, February 8, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

THIRTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 8, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-fourth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 6, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 318, 354, 154, 269, 373, 122.

HARPER, Chairman

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 428, respectfully report as follows: That House Bill No. 428 do not pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 be amended as follows:

1. Amend the title on page 1, line 7 of the original bill by adding after the comma the words, "and private non-profit organizations or agencies (other than political parties),"

2. Amend Section 1, on line 18 of the original bill by adding after the comma the words, "and private non-profit organizations or agencies (other than political parties),"

3. Amend Section 2, on page 1, line 31 of the original bill by adding after the comma the words, "and private non-profit organizations or agencies (other than political parties),"

4. Add the following material on page 2, line 15 of the original bill:

"Section 4. The city council or councils of a city or cities within a county and the County Commissioners of the county may create a city-county commission to effect the purposes of this act. Such city-county commission is authorized to: (1) Make contracts and agreements with United States government agencies for the purpose of carrying out the intent of this act; (2) Accept and expend public and private funds made available to such commission for the purpose of carrying out the intent of this act."

5. Renumber Section 4, of the original bill to read Section 5.

6. Amend Section 1, line 26 of the original bill by adding after the word "regulations" and the comma the words, "not in conflict with the laws of the State of Montana,"

And as so amended, do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 do not pass.

JUDGE, Chairman.

Motion was made by Judge that the Committee report be adopted.

Substitute motion was made by Atkins that House Bill No. 400 be printed and placed on Second Reading. Substitute motion carried.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 be amended as follows:

Between line 26 and line 27, page 9 of the original bill, insert the following paragraph:

"(d) At any time after thirty (30) days from the deduction of such tax and before the expiration of ninety (90) days following such deduction by the first purchaser or the first lender, the grower may, upon the submission of a written, verified request therefor to the Administrative Committee through the Commissioner of Agriculture and upon certification that he rejects the benefit of this Act, and disclaims right to any services under this Act, obtain a refund in the amount of the tax deducted by said first purchaser or said first lender, less one per cent (1%) of the amount paid by and collected from such grower. Such request shall be accompanied by the original invoices received by the grower at the time of settlement. The Wheat Research and Marketing Division shall keep complete records of all refunds made under the provisions of this section. Records of refunds may be destroyed two (2) years after the refund is made."

And as so amended, do pass.

HANKS, Chairman.

Motion was made by Hanks for adoption of the committee report.

Substitute motion was made by Holtz that the committee report not be adopted. After debate, Eskildsen moved the previous question. Substitute motion carried.

February 8, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill Nos. 419, 311, 417, 436, 289, 202, 429, 229, 455 and Substitute for House Bill No. 19, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 8, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 89 and 97, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:15 o'clock, a. m., delivered to the Governor for his approval.

HARPER, Chairman.

February 8, 1965 at 10:15 a. m.

Received of Chairman, Bills Committee, Harper, House Bills Nos. 89 and 97.

TIM BABCOCK, Governor,

By Jeanie Morris.

MOTIONS AND RESOLUTIONS

Motion was made by James that House Bill No. 136 be removed from Third Reading and placed on Second Reading. Motion lost.

Motion was made by Sheehy that House Bill No. 420 be removed from Second Reading and passed for the day. Motion carried.

Motion was made by Boughton that House Bill No. 121 be removed from the top of the list and placed below House Joint Resolution No. 23. Motion carried.

Motion was made by McNamara that House Bill No. 228 be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Meccage that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 194 be amended in Section 5 by striking out in line 22, page 3 of the original bill, which is page 3, line 9 of the printed bill, the words "twenty-five dollars (\$25)" and inserting in lieu thereof the words and figures "fifteen dollars (\$15)"

And as so amended, do pass.

That House Bill No. 468 do pass.

That House Bill No. 302 be amended in Section one (1), page 2 of the printed bill by striking out in line 26 "," and inserting in lieu thereof the words, "providing, however, the trustees shall in making such agreements

give preference to those children living the farthest from the school to be attended."

And as so amended, do pass.

That House Bill No. 305 do pass.

That House Bill No. 393 do not pass.

That House Bill No. 303 be placed at the bottom of the list.

That House Bill No. 164 do pass.

That House Bill No. 477 do pass.

That House Bill No. 397 do pass.

That the committee rise and report.

ESKILDTSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

Motion was made by Cerovski that Third Reading of House Bills be passed for this sitting. Motion carried.

February 8, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 13, House Joint Resolution No. 14, and House Bills Nos. 39, 111, 132, 144.

HARPER, Chairman.

I have examined House Joint Resolution No. 13 introduced by me and find the same to be correct.

BOUGHTON.

I have examined House Joint Resolution No. 14 introduced by me and find the same to be correct.

WILLIAMS.

I have examined House Bill No. 39 introduced by me and find the same to be correct.

HAINES.

I have examined House Bill No. 111, introduced by me and find the same to be correct.

HEALY.

I have examined House Bill No. 132 introduced by me and find the same to be correct.

HAINES.

I have examined House Bill No. 144 introduced by me and find the same to be correct.

SCHEPENS.

Speaker Pro Tem signed the following bills in open session: House Joint Resolutions 13 and 14, and House Bills Nos. 39, 111, 132, and 144.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 8, 1965

Mr. Speaker: We, your Committee on Highways, beg leave to report the following bills correctly engrossed: House Bills Nos. 176, 321, 231, 402, 194 and 164, and House Joint Resolutions Nos. 28, 34 and 27.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 do not pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 494, respectfully report as follows: That House Bill No. 494 do not pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 be amended as follows:

1. Amend Section 2, page 1, line 21 of the original bill be deleting the period and placing after the word "Patrol" the following material: "with the approval of the registrar of motor vehicles. The registrar shall produce the stickers for each county. The stickers shall contain the identifying number of the county and consecutive numbers starting with the number one (1) in each county."

2. Further amend Section 2, page 1, line 21 of the original bill by deleting the words "produced and".

3. Further amend Section 2, page 1, line 23 of the original bill by deleting the words "the 5th day of June of one year to the 31st day of May of the next year." Insert in lieu thereof the words "fifteen (15) days after the due date for personal property taxes of one year to the due date for personal property taxes of the next year."

And as amended, do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 489, respectfully report as follows: That House Bill No. 489 be amended as follows:

Be amended on line 4, page 1, of the original bill, by inserting a comma after the numbers "94-2425" and adding the numbers "84-6501".

Amend the title on line 8, page 1 of the original bill by changing the word "section" to "sections" and by inserting after the comma the numbers "84-6501".

Amend Section 1, page 1, line 16 of the original bill by adding after the period the following material: "At least one member shall be a breeder of thoroughbred or quarter horses".

Amend page 2, on line 5 of the original bill by substituting a new section numbered "2" as follows, and renumbering the remaining Section 2 and those sections following accordingly:

"Section 2. Definitions. As used in this act. (1) 'Commission' means Montana horse racing commission. (2) 'Persons' means individuals, firms, corporations and associations. (3) 'Race meet' means and includes any exhibition of thoroughbred, purebred, and/or registered horse racing where the pari-mutuel system of wagering is used. Singular shall include the plural and plural shall include the singular; and words importing one gender shall be regarded as including all other genders."

Amend Section 2, page 2, of the original bill by deleting lines 12 through 15.

Amend Section 4, page 3 of the original bill by adding the following material following the period on line 1: "Such rules and regulations shall include, but shall not be limited to the following, to-wit: definitions, auditing and supervision of the pari-mutuel system, corrupt practices, supervision, duties and responsibilities of the presiding steward, racing secretary and other racing officials, licensing of all personnel who have any function whatsoever to do with the operation of racing, the establishment of dates for race meets and meetings in the best interests of breeding and racing in the state of Montana, and the veterinary practices and standards which must be observed in connection with race meets. Rules pertaining to medication, testing of horses, examining horses prior to racing, and banning horses from running shall meet the approval of an advisory committee of the Montana Veterinary Medical Association."

Amend Section 4, page 3 of the original bill by adding at the end of line 12, the following material: "All claims and expenditures under this act shall be first audited and passed upon by the commission. When they are approved, they shall be paid from the license fees. If the license fees exceed the commission expenses, the excess shall be deposited to the state general fund, provided that in no event shall commission expenses be paid in an amount in excess of the aforementioned license fees."

Amend Section 6, page 3, line 28 of the original bill, by adding the following material: "There will be no license fee charge for a racing meet except as now provided in 84-6502".

Amend Section 6, page 4, line 2 of the original bill, following the word "terms" delete the word "of" and insert in lieu thereof the word "or".

Amend Section 6, page 4, line 10 of the original bill, by striking the sentence beginning "it shall be the duty of".

Amend Section 6, page 4, line 16 of the original bill, following the word "fair" delete the word "and" and insert in lieu thereof the word "shall".

Amend Section 7, page 5 of the original bill by deleting line 13 through 15.

Amend Section 8, line 23, page 5 of the original bill by inserting after the word "substitute" the word "race".

Amend Section 10, page 6, line 19 of the original bill by adding the following material after the word "system": "and in the race meet grounds or enclosure where the race is held".

Amend Section 10, page 6, line 19 of the original bill following the word "unlawful" delete the word "knowingly".

Amend Section 12, of the original bill, page 7, line 3, following the word "breakage" by deleting the comma and the words "as provided in".

Amend Section 14, page 7, line 9 of the original bill by adding after the second comma the following material: "and Section 84-6501, R. C. M. 1947, enacted as Section 1, Chapter 57, Laws of 1961,"

Amend page 7, line 11 of the original bill by striking Section 15 in its entirety, and substituting the following section:

"Section 15. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Amend page 7, of the original bill by adding a final section to read as follows:

"Section 17. This act is effective on its passage and approval."

And as amended, do pass.

HANKS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 8, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 97, introduced by Melcher and O'Neill.

Senate Bill No. 113, introduced by Keller, et al.

Senate Bill No. 157, introduced by Cotton, et al.

Senate Bill No. 127, introduced by O'Neill, et al.

Senate Bill No. 180, introduced by Thiessen and Michels.

Senate Bill No. 189, introduced by Melcher and Manning.

Senate Bill No. 192, introduced by Melcher and Lehrkind.

Senate Bill No. 208, introduced by Cotton.

Senate Joint Resolution No. 11, introduced by Gerard, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

Senate Joint Resolution No. 11, introduced by Gerard, Balgord, McGowan, Hibbard, Keller, Mathers, Cole, O'Neill: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the Con-

gress of the United States and to the members of the Montana congressional delegation, requesting that certain provisions of Public Law 566, be enlarged to fit the needs of the State of Montana and other western states similarly situated. Referred to Committee on Agriculture and Irrigation.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 97, introduced by Melcher, O'Neill: A bill for an act entitled: "An act to amend Section 92-827, Revised Codes of Montana, 1947, relating to the record of proceedings before the Industrial Accident Board; relating to attorney fees; providing for the furnishing of a copy thereof to the claimant without cost on appeal to the District Court; and providing for the furnishing by the board to indigent claimants of a transcript on appeal to the Supreme Court; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 113, introduced by Keller, McKenna, Moberly, Anderson, Cumming: A bill for an act entitled: "An act to authorize counting ballots before the polls are closed; and amending Section 23-601, R. C. M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 127, introduced by O'Neill, Holt, Huntley, Hauk: A bill for an act entitled: "An act to define long-term care facility for ill, infirm or aged persons; providing for inspection, licensing and regulation of such facilities by the State Board of Health; providing for establishment of standards for physical plant, staff and operation of such facilities; providing procedures for issuance, denial or revocation of license and administrative and judicial review thereof; making unlicensed operation of such facility unlawful and providing penalties therefor; providing an advisory council to assist the State Board of Health; providing for continuation of existing regulations until regulations under this act are adopted, published and distributed; providing a severability clause; and repealing Sections 69-2401, 69-2402, 69-2403, 69-2404, 69-2405, and 69-2406, R. C. M., 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 157, introduced by Cotton, Harris, Hafferman: A bill for an act entitled: "An act amending Section 75-3612, R. C. M. 1947, relating to the foundation program; providing for a minimum budget for an elementary school not approved as an isolated school; providing for the financing of such budget; and providing an effective date." Referred to Committee on Education.

Senate Bill No. 180, introduced by Thiessen, Michels: A bill for an act entitled: "An act authorizing school districts adjoining another state to contract with school districts in the neighboring state for the joint erection, operation and maintenance of school facilities for both districts; providing for the financing of such joint facilities; and providing for the approval of contracts for such joint facilities by the electors of the school district." Referred to Committee on Education.

Senate Bill No. 189, introduced by Melcher, Manning: A bill for an act entitled: "An act authorizing two or more counties to construct, purchase, lease, equip and operate a joint county hospital or nursing home for the aged; providing definitions." Referred to Committee on Townships and Counties.

Senate Bill No. 192, introduced by Melcher, Lehrkind: A bill for an act entitled: "An act to encourage banks to loan money to students for the purpose of obtaining an education." Referred to Committee on Business and Industry.

Senate Bill No. 208, introduced by Cotton: A bill for an act entitled: "An act to amend Sections 75-1716, 75-1719, 75-1720, 75-4521, 75-4524 and 75-4525, Revised Codes of Montana, 1947, relating to emergency budgets of school districts and high schools; and containing a repealing clause." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Meccage that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 178 do pass.

That House Joint Resolution No. 22 do pass.

That House Joint Resolution No. 26 be amended in the title on line 4, page 1, of the original bill, being line 2, page 1, of the printed bill, by inserting the words "of the State of Montana" after the word "representatives".

Further amend on page 2, line 15 of the original bill, being line 33, page 2 of the printed bill, by inserting the words "and House of Representatives" after the word "Senate".

And as amended, do pass.

That House Joint Resolution No. 4 do pass.

That House Joint Resolution No. 25 do pass.

That House Bill No. 99 do pass.

That House Bill No. 223 do pass.

That House Bill No. 226 do pass.

That House Bill No. 451 do pass.

That House Bill No. 472 do pass.

That House Bill No. 368 do pass.

That House Bill No. 235 do pass.

That House Bill No. 195 do pass.

That House Bill No. 418 be amended in Section 1 by inserting after the words "Section 1." the words and figures "subsection (1) of".

And as amended, do pass.

That House Bill No. 438 do pass.

That House Bill No. 427 be placed at the bottom of the list.

That House Bill No. 398 be amended in Section 1 by striking out in line 30, page 1 of the original bill, the words "the lien of prior chattel mortgages" and inserting in lieu thereof the words and punctuation, not underlined: "perfected security interests under the Uniform Commercial Code—Secured Transactions,".

And as so amended, do pass.

That House Bill No. 437 do pass.

That the Committee rise and report.

ESKILDSSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 117 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Felt, Rygg. Total 2.

Excused: Nichols. Total 1.

House Bill No. 270 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Falkenstern, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Williams, Willits, Woodard. Total 74.

Noes: Aasheim, Brenner, Egan, Fischer, Flynn, Hall, Hanks, Harper, Johnson, Nefzger, O'Hair, Raundal, Scherf, Ulmer, Watt, Zimmer, Mr. Speaker. Total 17.

Absent or not voting: Eskildsen, Felt. Total 2.

Excused: Nichols. Total 1.

House Bill No. 136 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Eklund, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 48.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Egan, Falkenstern, Fischer, Garrison, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Nelson, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard, Mr. Speaker. Total 43.

Paired: Eskildsen, aye; Nichols, no.

Absent or not voting: Felt. Total 1.

Excused: None.

House Bill No. 395 was passed by the following vote:

Ayes: Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Eklund, Eskildsen, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Shugrue, Slaby, Smiley, Smith, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Mr. Speaker. Total 66.

Noes: Aasheim, Asbjornson, Broeder, Cerovski, Dye, East, Egan, Falkenstern, Haines, Harper, James, Jenkins, Laas, Lewis, Mather, Nutting, Pierce, Schye, Selstad, Sheehy, Spilde, Stranahan, Sullivan, Woodard, Zimmer. Total 25.

Absent or not voting: Felt, O'Hair. Total 2.

Excused: Nichols. Total 1.

House Bill No. 153 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Felt, Zimmer. Total 2.

Excused: Nichols. Total 1.

House Bill No. 388 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smiley, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Mr. Speaker. Total 79.

Noes: Boughton, Dye, East, Falkenstern, Garrison, Loman, Schye, Selstad, Smith, Spilde, Stranahan, Woodard, Zimmer. Total 13.

Absent or not voting: Felt. Total 1.

Excused: Nichols. Total 1.

House Bill No. 173 was passed by the following vote:

Ayes: Atkins, Bashor, Boughton, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen,

Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Schepens, Schye, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Tooke, Tracy, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 68.

Noes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, East, Gill, Harper, Jenkins, Jensen, Loman, MacCalman, Mather, Nefzger, O'Hair, Scherf, Selstad, Smith, Swanz, Twedt, Williams. Total 23.

Absent or not voting: Felt, Sartz. Total 2.

Excused: Nichols. Total 1.

House Bill No. 336 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Atkins, Boughton, Deschamps, East, Gilfeather, Harper, Lombardi, O'Hair, Schepens, Scherf, Smiley, Smith. Total 12.

Absent or not voting: Felt. Total 1.

Excused: Nichols. Total 1.

House Joint Resolution No. 37 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 80.

Noes: East, Falkenstern, James, Lucas, MacCalman, Pierce, Schye, Smiley, Smith, Swanz, Ulmer, Woodard. Total 12.

Absent or not voting: Felt. Total 1.

Excused: Nichols. Total 1.

House Bill No. 7 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mother, McDonald, McNamara, McNamer, Meccage, Nelson, Nutting, Obstarczyk, O'Leary, Pierce,

Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Aasheim, Boughton, Broeder, Casey, MacCalman, McOmber, Nefzger, O'Hair, Rygg, Spilde, Stranahan. Total 11.

Absent or not voting: Felt. Total 1.

Excused: Nichols. Total 1.

House Bill No. 449 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Cerovski, Christiansen, Cregg, Crum, Cummings, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 79.

Noes: Boughton, Broeder, Casey, Delano, Dye, Lund, MacCalman, Nutting, Rygg, Spilde, Stranahan, Ulmer, Williams. Total 13.

Absent or not voting: Smith. Total 1.

Excused: Nichols. Total 1.

House Bill No. 357 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Boughton, Falkenstern, Haines, Jenkins, Schye, Smith, Spilde. Total 7.

Absent or not voting: East. Total 1.

Excused: Nichols. Total 1.

House Bill No. 313 failed to pass by the following vote:

Ayes: Atkins, Bailey, Bollinger, Casey, Cregg, Delano, Deschamps, Eklund, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Jensen, Johnson, Judge, Loman, Lombardi, McDonald, McNamara, McOmber, Obstarczyk, O'Hair, O'Leary, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Willits, Mr. Speaker. Total 43.

Noes: Aasheim, Asbjornson, Bardanouve, Bashor, Boughton, Brenner, Broeder, Cerovski, Christiansen, Crum, Cummings, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Haines, Harper, James, Jenkins, Laas, Leuthold, Lewis, Lucas, Lund, MacCalman, Mather, McNamer, Mec-

cage, Nefzger, Nelson, Nutting, Pierce, Raundal, Rehberg, Schye, Selstad, Smith, Spilde, Stranahan, Swanz, Ulmer, Watt, Williams, Woodard, Zimmer. Total 49.

Absent or not voting: Scherf. Total 1.

Excused: Nichols. Total 1.

House Bill No. 318 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Boughton, Egan, Garrison, Johnson, MacCalman, O'Hair, Selstad, Smiley, Smith. Total 9.

Absent or not voting: None.

Excused: Nichols. Total 1.

House Bill No. 354 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer. Mr. Speaker. Total 81.

Noes: Boughton, Cerovski, Delano, Dye, Gerke, Lund, Pierce, Rehberg, Scherf, Sheehy, Williams, Woodard. Total 12.

Absent or not voting: None.

Excused: Nichols. Total 1.

House Bill No. 154 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: Sullivan. Total 1.

Absent or not voting: MacCalman. Total 1.

Excused: Nichols. Total 1.

House Bill No. 373 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Aasheim, Atkins, Boughton, Deschamps, Flynn, Hanks, Scherf. Total 7.

Absent or not voting: None.

Excused: Nichols. Total 1.

House Bill No. 122 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Mr. Speaker. Total 93.

Noes: None.

Absent or not voting: None.

Excused: Nichols. Total 1.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

February 8, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 39, 111, 132, 144, and House Joint Resolutions Nos. 14 and 13, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and the President of the Senate, were this day, at the hour of 2:10 o'clock p.m. delivered to the Governor for his approval.

HARPER, Chairman.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 24, respectfully report as follows: That House Joint Resolution No. 24 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do not pass.

ESKILDSSEN, Chairman.

Motion was made by Eskildsen for adoption of the committee report.

Substitute motion was made by McNamer that House Bill No. 78 be printed and placed on Second Reading. Substitute motion carried.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 20, respectfully report as follows: That House Joint Resolution No. 20 be rereferred to Appropriations Committee.

ESKILDSSEN, Chairman.

Report adopted.

February 8, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Joint Resolution No. 18, and House Bills Nos. 416, 392, 253, 156, 24, 399, 483, 453, 339, 170, 86, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 do not pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 do not pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 do not pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267 do not pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 be amended in the original bill as follows:

1. Amend the title by striking out in line 6 after the word "commission" the words "by reducing the membership from 5 to 4."

2. Amend Section 1 on page 1 by striking out in line 16 the word "four" and inserting in lieu thereof the word "five".

3. Further amend Section 1 on page 1 by striking out in line 25 the word "four" and inserting in lieu thereof the word "five".

4. Further amend Section 1 on page 1, line 27 after the word "years" by deleting the word "and" and further amend on line 28 after the word "years;" by deleting the rest of the material in lines 28 and 29 and inserting in lieu thereof the words "one member to serve for four years and one member to serve for five years."

5. Further amend Section 1 on page 2, line 12, by striking the period (.) after the word "organizations" and inserting a comma (,) therefor and adding the words: "and one member who shall be appointed by the Governor without regard to the above-named organizations so long as he is an honorably discharged veteran."

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 8, 1965 at 2:10 p. m.

Received of Chairman, Bills Committee, Harper, House Bills Nos. 39, 111, 132, 144, House Joint Resolution No. 14 (7 originals, 3 copies) and House Joint Resolution No. 13 (33 originals, 3 copies).

TIM BABCOCK, Governor,

By Jeanie Morris.

February 6, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 57, introduced by Judge and Bardanouwe.

House Joint Resolution No. 3, introduced by Harper, Flynn and Willits.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

February 8, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 19, introduced by Williams, et al., was this

day recommended for non-concurrence by the Senate Committee on Natural Resources, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Tuesday, February 9, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

THIRTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 9, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Broeder, Rygg, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-sixth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 8, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 295, 468, 226, 302, 477, 305, 223, 472, 418, 438, 437, 451, 195, and House Joint Resolutions Nos. 26, 25, 4 and 22. House Bill No. 99 considered correctly engrossed. House Bill No. 368 considered correctly engrossed.

JAMES, Vice-Chairman.

February 8, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 56, 243, 344, 445, 454, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

February 9, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 348, 376, 55, 480, 400, 217, 94, 459, 306, 324, 485 and House Joint Resolution No. 9, House Bill No. 450 and House Joint Resolution No. 21, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 be referred to the Appropriations Committee.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 do not pass.

AASHEIM, Chairman.

Motion was made by Aasheim for adoption of the Committee report.

Substitute motion was made by Sheehy that House Bill No. 421 be printed and placed on Second Reading, and requested a roll call vote with the results thereof to be spread on the Journal. Roll call vote was taken and the substitute motion carried by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Casey, Christiansen, Cregg, Cummings, Deschamps, Dye, Egan, Eklund, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, MacCalman, Mather, McNamara, McNamer, Meccage, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 55.

Noes: Aasheim, Bashor, Boughton, Brenner, Cerovski, Crum, Delano, East, Eskildsen, Falkenstern, Garrison, Gunderson, Hanks, James, Jenkins, Jensen, Leuthold, Lund, McDonald, McOmber, Nelson, Nichols, Pierce, Raundal, Rehberg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Ulmer, Williams, Woodard, Zimmer. Total 36.

Absent or not voting: Nefzger. Total 1.

Excused: Broeder, Rygg. Total 2.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 8, respectfully report as follows: That House Resolution No. 8 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 484, respectfully report as follows: That House Bill No. 484 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be rereferred to the Committee on Public Health, Welfare and Safety.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 be amended as follows:

By adding the following words in Section 2 after the word "acres" and before the period in line 26 on page 1 of the original bill: "and shall be located in an area which will not substantially reduce hunting areas available to the public as determined by the commission."

By deleting the following words in Section 3 as the same appear in line 3 on page 2 of the original bill: "mallards, black ducks, and geese,"

By deleting the letter "(a)" in Section 3 as it appears in line 6 on page 2 of the original bill.

By deleting the following words in Section 3 as the same appear in lines 12, 13 and 14 on page 2 of the original bill: "(b) mallards, black ducks, and/or geese released on a shooting preserve must have had a $\frac{1}{4}$ " hole punched in the outer webb of the right foot before the birds attain the age of 6 weeks."

By deleting in Section 4 the figure "\$25.00" as the same appears in line 16 on page 2 of the original bill and inserting in lieu thereof the figure "\$50.00".

By deleting in Section 4 the figure "\$5.00" as the same appears in line 17 on page 2 of the original bill and inserting in lieu thereof the figure "\$20.00".

By deleting in Section 5 the following words in lines 23 and 24 on page 2 of the original bill: ", except mallards, black ducks, and non-native game species upon which 100 per cent recovery may be allowed".

By deleting all of Section 11 following the word and figure "Section 11," as the same appears on lines 2 through 10 on page 4 of the original bill and inserting in lieu thereof the words "All persons hunting on shooting preserves must have a valid resident or nonresident game bird license."

By deleting in Section 13 the following words as the same appear in lines 24 and 25 on page 4 of the original bill: "been convicted of a violation of" and inserting in lieu thereof the word "violated".

By inserting the following words in Section 13 after the word "Act" and before the period as the same appear in line 25 on page 4 of the original bill: "or any rule or regulation of the State Fish and Game Commission".

By inserting the following paragraph as Section 14 following Section 13 in the original bill: "Section 14. The State Fish and Game Commission shall conduct unscheduled inspections of all shooting preserves licensed under this act to insure that pertinent statutes as well as the rules and regulations of the State Fish and Game Commission are being followed and obeyed."

By deleting the word and figure "Section 14" as the same appear in line 1 on page 5 of the original bill and inserting in lieu thereof the word and figure "Section 15".

And as amended, do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration House Bill No. 423, respectfully report as follows: That House Bill No. 423 be amended by adding on line 12, page 2 of the original bill the following:

"Section 2. Nothing in this act shall in any way be construed to prohibit the pregnancy testing by any person of his own farm animals or being assisted in such treatment by his employees regularly employed in the conduct of his business, or by other persons whose services are rendered gratuitously.

Nothing herein contained shall be construed as modifying, amending, altering, or repealing any part of Section 66-2211 of the R.C.M. of 1947."

And as amended, do pass.

BRENNER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be hired:

James R. Coyle	Mail Clerk
Mary Mockel	Stenographer
Janice Rickey	Mimeograph
Francis Covington	Stenographer
Mary Elizabeth Cottingham	Stenographer

Also, that the following changes be made:

Mrs. Lavay Bomar	From Typist to Stenographer
Carol Dunstan	From Typist to Stenographer
Rita Featherly	From Typist to Mimeograph

Also, that the following be dropped:

Jerry Kirtley	Mimeograph
Louise Fulbright	Stenographer

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 be amended as follows:

Strike out the following words, figures and punctuation on lines 5 through 9, page 3 of the original bill:

"If the decedent leaves no major or minor dependents [a lump sum in the amount of three thousand no/100 dollars (\$3,000.00) shall be payable to his surviving parent or parents] then compensation shall be payable to his surviving parent or parents in the same manner as for minor dependents in this act provided."

And further amend by inserting in lieu thereof the following words, figures and punctuation.

"If the decedent leaves no surviving spouse, child or children, major or minor dependents then the surviving parent or parents shall receive compensation in the same manner as for beneficiaries in this act provided. If the decedent leaves no beneficiaries, major or minor dependents, and no surviving parent or parents, a lump sum in the amount of ten thousand dollars (\$10,000.00) shall be payable to the estate of the decedent."

And as amended, do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 425, respectfully report as follows: That House Bill No. 425 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 do not pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 be amended in the original bill as follows:

In Section 7, page 4, line 26, by deleting the comma (,) and inserting a period (.) therefor, and by deleting the remainder of this sentence.

And by inserting in lieu thereof the words "There shall be a penalty in the amount of one-half ($\frac{1}{2}$) of the renewal fee which shall be added to it in those cases where renewals are made after April 30."

And as amended, do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 do not pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 be amended in the original bill as follows:

1. In Section 25, page 17, lines 7 and 10, delete the word "board" on each of said lines and insert therefor the words "registrar of motor vehicles" on each of said lines.

2. In Section 26, subsection (h), page 20, line 21, delete the words "state general fund" and insert therefor the words "earmarked revenue fund".

And as amended, do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 345, respectfully report as follows: That House Bill No. 345 be amended in the original bill as follows:

1. In Section 11, subsection (6) on page 8, line 7, after the words "number of" insert the words "floor or".

2. In Section 13, page 8, lines 25, 26 and 27, strike the entire subsection (3).

3. In Section 16, page 9, line 9, insert after the word "raised" the words "or recessed".

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 be amended in the original bill as follows:

In Section 1, page 2, line 9, insert a period (.) after the word "specifications" and strike all the remainder of the new material on lines 9 through 13.

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do not pass.

ESKILDSEN, Chairman.

Motion was made by Eskildsen, that the Committee report be adopted.

Substitute motion was made by Gilfeather that House Bill No. 310 be printed and placed on Second Reading. Substitute motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Judge that the House pass consideration of House Substitute Bill No. 19 for the day. Motion carried.

Motion was made by Cerovski that House Bill No. 78 be taken from Second Reading and rereferred to Appropriations Committee. Motion carried.

Motion was made by Watt that consideration of House Bill No. 455 be passed for the day. Motion carried.

Motion was made by Sheehy that House Bill No. 420 be removed from Second Reading and rereferred to the Committee on Business and Industry. Motion carried.

Motion was made by McNamara that House Bill No. 229 be placed in second position after House Bill No. 228 on Second Reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading under rules of the previous sitting. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 228 do pass.

That House Bill No. 229 do pass.

That House Bill No. 365 do not pass.

That House Joint Resolution No. 23 do pass.

That the Committee rise and report.

JUDGE, Chairman.

Motion was made by Judge for adoption of the Committee report.

Substitute motion was made by Hall that House Bill No. 365 be segregated from the Committee of the Whole report, and that a roll call vote be taken, with the results thereof to be spread on the Journal. Roll call vote was taken and the substitute motion carried by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, Johnson, Judge, Lombardi, McDonald, McNamara, McNamer, McOmber, Meccage, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Sheehy, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watts, Willits. Total 47.

Noes: Asbjornson, Boughton, Casey, Delano, Deschamps, Dye, East, Falkenstern, Felt, Fischer, Garrison, Harper, James, Jenkins, Jensen, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Nefzger, Nelson, Nichols, Nutting, Pierce, Raundal, Scherf, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard, Zimmer. Total 40.

Absent or not voting: Crum, Mather, Rehberg, Shugrue, Wayrynen. Total 5.

Excused: Broeder, Rygg. Total 2.

Motion was made by Judge that the Committee of the Whole report be adopted as amended. Motion carried.

Motion was made by Cerovski, and carried, that the House dispense with Third Reading for this sitting.

Motion was made by Cerovski that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 be amended as follows:

Add the following material on page 1, section 1, on line 15 after the word appraisal and the period: "Such transactions shall be made by resolu-

tion of councils involved and entered in the minutes of the regular or special meetings."

And as so amended, do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 be amended as follows:

Add the following material on page 1, section 1, on line 15 after the word appraisal and the period: "Such transaction is to be entered in the meetings of the Board and be matters of record."

And as so amended, do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 do not pass.

JUDGE, Chairman.

Report adopted.

February 9, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 229, 228, 235, 178.

JAMES, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355 be amended as follows:

Amend lines 12 and 13, page 1 of the original bill following the comma by striking out the following words "an increase in land value resulting from such facilities shall be taxable only as improved land and" and inserting the following words in lieu thereof "and where an increase in land value results, such facilities shall be taxed as such land is improved, and such land".

Amend line 14, page 1 of the original bill, by striking out the word "section".

Amend line 15, page 1 of the original bill, striking out the words "of the".

And as amended, do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 316, respectfully reported as follows: That House Bill No. 316 be amended as follows:

Amend title by deleting the words "and an effective date".

Amend Section 1, subsection (b) by deleting paragraphs (3) and (4).

Further amend Section 1, subsection (b) by making paragraph (5) to be paragraph (3).

Amend by deleting the entire Section 3.

And as amended, do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 be amended as follows:

By striking "Sections 75-4201 and" in the title, line 7, page 1, of the original bill and inserting instead the word "Section"; by deleting Section 1, lines 11 through 23, in its entirety; by deleting the figure "2," after the word "Section" on line 24 and inserting instead the figure "1."; by striking the period "." at the end thereof on line 5, page 2, and add the following:

"but no vote shall be required in the event unification of the county high school with the school district in which the county high school is located has occurred in accordance with law."

And as amended, do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 be amended as follows:

By deleting lines 13 through 32, page 1, of Section 1 of the original bill, by deleting lines 1 through 3, page 2, and inserting instead the following:

"If the board of trustees of the county high school and the board of trustees of the school district in which the county high school is located shall each pass a resolution requesting unification and an election thereon and shall each file copies of the respective resolutions with the county superintendent of schools, or if a petition signed by ten per cent (10%) of the qualified electors of the high school district where the county high school is located, or of the county if it is not divided into high school districts, is filed with the County Superintendent requesting that an election on the question of unification be held, the County Superintendent within not less than twenty (20) nor more than thirty (30) days shall cause notice of election to be given by posting and publication. The question shall be submitted to the qualified electors of the high school district where the county high school is located or to the qualified electors of the county if it is not divided into high school districts. The notice shall be posted in three (3) public places in each school district of the high school district, or of the county if it is not divided into high school districts, and at least one voting place shall be provided in each such school district. The notice shall also be published once in a newspaper published in the county and having general circulation therein. The notice shall specify the voting places, the time when the polls shall be open and that the question to be submitted is FOR or AGAINST unification.

"If a majority of the votes cast at such election shall be FOR unification the County Superintendent shall make an order that unification shall be effective the following July 1.

"If a majority of the votes cast at such election shall be AGAINST unification the County Superintendent shall so declare.

"Persons qualified to vote for school trustees shall be eligible to vote at the election provided for herein and as far as applicable the statutes relating to the election of school trustees shall govern such election."

In Section 2, page 2, of the original bill, delete the word "common" on line 8.

In Section 3, page 2, of the original bill, delete the word "elementary" on line 18; and add at the end thereof on page 6 the following:

"Section 10. This act is effective on its passage and approval."

And as amended, do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 be amended as follows:

1. Amend the title on page 1 of the original bill by deleting the title in its entirety and inserting in lieu thereof "An act submitting to the electorate at the November 1966 General Election the question of whether or not the three cent per package cigarette tax authorized by Initiative No. 54, as amended, should be continued to provide moneys for the construction and remodeling of state buildings."

2. Delete Section 1 on page 1 of the original bill in its entirety and insert in lieu thereof the following:

"Section 1. Upon approval by the majority of the qualified electors of the State of Montana, the three cent (3¢) per package cigarette tax authorized by Initiative Number 54, as amended, shall continue to be levied and collected for the purpose of providing moneys for construction and remodeling of state buildings."

3. Delete Section 2 on pages 1 and 2 of the original bill in its entirety, and insert in lieu thereof the following:

"There shall be submitted, and it is hereby required to be submitted, to the qualified electors of the State of Montana for their vote at the General Election to be held in November 1966, the continuation of such cigarette tax as herein provided; and the title and number of this referendum shall be printed upon the official ballot."

Below the title of this act there shall be printed the following:

☐ For Referendum Measure No. relating to continuation of the cigarette tax authorized by Initiative 54, as amended.

☐ Against said Measure No.

4. Delete Section 3 on page 2 of the original bill in its entirety.

And as amended, do pass.

WATT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 9, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 63, introduced by Mackay and Melcher.

Senate Bill No. 95, introduced by Groff, et al.

Senate Bill No. 96, introduced by Groff, et al.

Senate Bill No. 111, introduced by Thiessen, et al.

Senate Bill No. 119, introduced by Hibbard and Mackay.

Senate Bill No. 146, introduced by Mahoney, et al.

Senate Bill No. 154, introduced by Edwards.

Senate Bill No. 200, introduced by Cotton, et al.

Senate Bill No. 209, introduced by Cotton.

Senate Bill No. 217, introduced by Kafka, et al.

Senate Bill No. 224, introduced by Kafka, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 9, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 281, introduced by Gerke, was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Haines that House Bill No. 365 be segregated from the Committee of the Whole report this morning, and be placed on Second Reading this sitting. Motion carried.

Raundal, having voted on the prevailing side, moved that the House reconsider its action on House Bill No. 330, in adopting an adverse committee report. Motion was lost.

Cerovski, having voted on the prevailing side on House Bill No. 313, moved that the House reconsider its action in killing House Bill No. 313 on Third Reading yesterday. Motion carried.

Motion was made by Cerovski that House Bill No. 313 be placed on Third Reading this day. Motion carried.

February 9, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 98, 470, 317, 268, 40, 293, 482, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Motion was made by Cerovski that the House pass consideration of business No. 8 and go on to No. 9. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 176 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sulli-

van, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Schye, Selstad. Total 2.

Paired: Johnson, yes; Asbjornson, no.

Absent or not voting: Crum, Obstarczyk, Willits. Total 3.

Excused: Broeder, Mather, Rygg. Total 3.

House Bill No. 321 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Flynn, Haines, Raundal. Total 3.

Absent or not voting: Crum, Scherf, Smith. Total 3.

Excused: Broeder, Johnson, Mather, Rygg. Total 4.

House Bill No. 231 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 73.

Noes: Bashor, Cummings, Deschamps, Eskildsen, Flynn, Gunderson, Harper, Lombardi, Nefzger, O'Hair, Sartz, Shugrue, Sullivan, Tracy, Zimmer. Total 15.

Paired: Rygg, yes; Meccage, no.

Absent or not voting: Willits. Total 1.

Excused: Broeder, Johnson, Mather. Total 3.

House Bill No. 402 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Christiansen, Cregg, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, Prevost, Raundal, Sartz, Schepens, Scherf, Schye, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 72.

Noes: Casey, Cerovski, Crum, Cummings, Dye, Harper, Jenkins, O'Hair, O'Leary, Pierce, Rehberg, Selstad, Sheehy, Smiley, Smith, Williams. Total 16.

Paired: Johnson, yes; Loman, no.

Absent or not voting: East. Total 1.

Excused: Broeder, Mather, Rygg. Total 3.

House Bill No. 194 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: Boughton, Casey, Dye, Jenkins, Jensen, MacCalman, McDonald, Nutting, Smiley, Smith, Stranahan, Ulmer, Williams. Total 13.

Absent or not voting: Loman. Total 1.

Excused: Broeder, Johnson, Mather, Rygg. Total 4.

House Bill No. 164 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 64.

Noes: Asbjornson, Bollinger, Boughton, Deschamps, Dye, East, Falkenstern, Garrison, Laas, Leuthold, Loman, Nutting, Pierce, Rehberg, Schye, Sheehy, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 24.

Paired: Rygg, no; Meccage, yes; Johnson, yes; Selstad, no.

Absent or not voting: None.

Excused: Broeder, Mather. Total 2.

House Joint Resolution No. 28 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Boughton, East, Garrison, Loman, Smiley, Smith, Williams. Total 7.

Absent or not voting: Pierce. Total 1.

Excused: Broeder, Johnson, Mather, Rygg. Total 4.

House Joint Resolution No. 34 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Laas, Lewis, Loman, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 63.

Noes: Boughton, Casey, Crum, Dye, East, Falkenstern, Garrison, James, Jenkins, Leuthold, Lucas, Lund, MacCalman, McNamer, Rehberg, Schye, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 25.

Paired: Johnson, yes; Asbjornson, no.

Absent or not voting: Pierce. Total 1.

Excused: Broeder, Mather, Rygg. Total 3.

House Joint Resolution No. 27 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Laas, Lewis, Loman, Lombardi, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 65.

Noes: Boughton, Casey, Crum, Dye, East, Falkenstern, Garrison, Haines, James, Jenkins, Leuthold, Lucas, MacCalman, Nutting, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Ulmer, Williams, Woodard. Total 23.

Absent or not voting: Pierce, Rehberg. Total 2.

Excused: Broeder, Johnson, Mather, Rygg. Total 4.

House Bill No. 313 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Delano, Deschamps, Egan, Eklund, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Laas, Lewis, Loman, Lombardi, Lucas, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 61.

Noes: Asbjornson, Boughton, Dye, East, Eskildsen, Falkenstern, Garrison, James, Jenkins, Leuthold, Lund, MacCalman, McNamer, Nichols, Raundal, Rehberg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Williams, Woodard, Zimmer. Total 26.

Paired: Johnson, yes; Nutting, no.

Absent or not voting: Crum, Cummings. Total 2.

Excused: Broeder, Mather, Rygg. Total 3.

Motion was made by Cerovski that the House revert to Order of Business No. 7.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 63, introduced by Mackay, Melcher: A bill for an act entitled: "An act to provide for the regulation of commodities put up in packages in advance of being offered, or exposed for sale, sold, or in the process of delivery; to provide for the method of sale, advertisement, and enforcement; repealing Sections 90-130, 90-132, 90-144, and 90-301, R. C. M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 95, introduced by Groff, Turnage, Dussault, Mahoney: A bill for an act entitled: "An act amending Section 93-901, R. C. M. 1947, to provide for the disqualification of district judges in civil actions and proceedings; prescribing grounds and procedure for disqualification; providing for assumption of jurisdiction by other district judges within the same judicial district; providing and limiting time during which disqualification may be had; and repealing all other acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 96, introduced by Groff, Turnage, Dussault, Mahoney: A bill for an act entitled: "An act to amend Section 94-6913, R. C. M. 1947, relating to the disqualification of a district judge in criminal proceedings." Referred to Committee on Judiciary.

Senate Bill No. 111, introduced by Thiessen, O'Neill, Cumming, Cotton: A bill for an act entitled: "An act relating to the licensing of day care facilities for children." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 119, introduced by Hibbard, Mackay: A bill for an act entitled: "An act relating to state fiscal procedures and certain funds and accounts; amending Sections 84-1812(1), 81-1502, 43-803, 46-1107 and 59-1106, R. C. M. 1947; and repealing Section 84-1812(2), R. C. M. 1947." Referred to Committee on Appropriations.

Senate Bill No. 146, introduced by Mahoney, Huntley: A bill for an act entitled: "An act amending Sections 92-1311 and 92-1313, R. C. M. 1947, relating to the Occupational Disease Act of Montana, payment of compensation, exceptions and limitations, and notice of disability or death; to except therefrom disability or death due to X-ray and ionizing radiation." Referred to Committee on Labor and Compensation.

Senate Bill No. 154, introduced by Edwards: A bill for an act entitled: "An act concerning the preference to certain residents when contracts are awarded by certain public agencies; and amending Sections 82-1925 and 82-1926, R. C. M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 200, introduced by Cotton, Thiessen, McDonnell, Rieder, Harris, James, Lehrkind: A bill for an act entitled: "An act relating to the school foundation program; providing for changes in financial schedules for the maximum general fund budgets for school districts and county high schools; providing for the financing of such budgets; removing requirements for schedule revision; amending Sections 75-1713.1, 75-3616, 75-3619, 75-3706, 75-4516.1, and 75-4518.1, R. C. M. 1947; containing a repealing clause; and providing an effective date." Referred to Committee on Education.

Senate Bill No. 209, introduced by Cotton: A bill for an act entitled: "An act to amend Section 75-5003, R. C. M. 1947, relating to special education for mentally retarded and physically handicapped children; to pro-

vide for the use of existing classes in lieu of local provisions of special classes; and providing for the computation of state reimbursement for in-school programs approval by the State Superintendent of Public Instruction." Referred to Committee on Education.

Senate Bill No. 217, introduced by Kafka, James: A bill for an act entitled: "An act to authorize the organization and consolidation of county water districts to include land in more than one county, and amending Section 16-4502, R. C. M. 1947, relating to organization of county water districts; Section 16-4503, R. C. M. 1947, relating to petition for creation of a county water district; Section 16-4504, R. C. M. 1947, relating to consideration of said petitions; Section 16-4505, R. C. M. 1947, relating to voting on said petitions; Section 16-4506, R. C. M. 1947, relating to election of directors of county water districts; Section 16-4507, R. C. M. 1947, relating to nomination and election of officers; Section 16-4508, R. C. M. 1947, relating to canvassing of returns; Section 16-4520, R. C. M. 1947, relating to publication of notice of election; Section 16-4527, relating to levy of water taxes; Section 16-4531, R. C. M. 1947, relating to additions to district; Section 16-4532, R. C. M. 1947, containing definitions; and Section 16-4533, R. C. M. 1947, relating to exclusion of territory from county water districts and providing for an effective date." Referred to Committee on Townships and Counties.

Senate Bill No. 224, introduced by Kafka, Davis, Cotton, Huntley, Lehr-kind, Moritz, Siderius, Dussault: A bill for an act entitled: "An act amending Section 11-602, R. C. M. 1947, relating to plats of cities and towns and outside of cities and towns and specifying what must be contained in said plats; and providing for an effective date." Referred to Committee on Affairs of Cities.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 365 do pass.

That House Bill No. 121 be amended in Section 1 by adding in line 37 of the printed bill "The land received from the United States, under this provision, must be located in the same county as the relinquished lands."

And as so amended, do pass.

That consideration of House Bill No. 303 be passed for the day.

That House Bill No. 427 do pass.

That House Bill No. 419 do pass.

That consideration of House Bill No. 311 be passed for this sitting.

That House Bill No. 417 do pass.

That House Bill No. 436 do pass.

That House Bill No. 289 do pass.

That House Bill No. 202 do pass.

That House Bill No. 429 do pass.

That House Joint Resolution No. 18 do pass.

That House Bill No. 416 do pass.

That House Bill No. 392 do pass.

That House Bill No. 253 do not pass.

That House Bill No. 156 be placed at the bottom of the list.

That House Bill No. 24 do pass.

That the committee rise and report.

JUDGE, Chairman.

Report adopted.

The Speaker signed the following bills in open session: Senate Bill Nos. 114, 140, Senate Joint Resolution No. 1.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Wednesday, February 10, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Chairman.

WALTER MARSHALL, Chief Clerk.

THIRTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 10, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Fischer, Hanks, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-seventh Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 10, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 316, 175, 310, 280, 246, 366, 146, 333, 84, and 362, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

February 9, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 398 and House Joint Resolution No. 23.

HARPER, Chairman.

February 9, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 372, 227, 242, and House Joint Resolution No. 24, beg

leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 476, respectfully report as follows: That House Bill No. 476 do not pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 11, respectfully report as follows: That House Bill No. 11 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do not pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 do not pass.

HEALY, Chairman.

Motion was made by Healy that the committee report be adopted.

Substitute motion was made by Lucas that House Bill No. 114 be amended by inserting on line 11, page 9 of the original bill after the period, the words "The taxes levied, imposed and assessed under the provisions of subdivisions (3) and (4) of said Section 84-5606 shall not be subject to the discount provided for in Section 84-5608, R. C. M. 1947, as amended."

And as so amended, do pass.

Substitute motion was lost.

Substitute motion was made by Felt that House Bill No. 114 be printed and placed on Second Reading. After debate, Aasheim moved the previous question. Motion carried.

Lucas requested a Call of the House and a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Lucas moved that the Call of the House be dispensed with. Motion carried.

Roll call vote was taken and the substitute motion failed to carry by the following vote:

Ayes: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Garrison, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 37.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Felt, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Strananahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 55.

Absent or not voting. Gill. Total 1.

Excused: Fischer. Total 1.

Report adopted.

February 10, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill Nos. 423, 212, and 356, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 517, respectfully report as follows: That House Bill No. 517 be amended as follows:

Delete the following words in the title on page 1 of the original bill: "creating an off-premises beer license account in the earmarked revenue fund, providing for an appropriation, and".

Delete all of Section 1 and all of Section 2, which includes lines 10 through 24, on page 1 of the original bill.

Renumber line 25, page 1 of the original bill to read "Section 1" instead of "Section 3".

Renumber line 8, page 5 of the original bill to read "Section 2" instead of "Section 4".

And as amended, do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 407, respectfully report as follows: That House Bill No. 407 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 462, respectfully report as follows: That House Bill No. 462 be amended as follows:

In the title of the original bill, line 6, delete the word "conveyances" and insert in lieu thereof the words "mortgages or encumbrances".

Page 1, line 23 of the original bill delete the words "conveyance" and insert in lieu thereof the words "mortgage or encumbrance".

And further amended, line 29 of the original bill, delete the word "thereof" and insert in lieu thereof the words "of such mortgage or encumbrance".

And as so amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 405, respectfully report as follows: That House Bill No. 405 be amended as follows:

Delete the words "to specify procedures to be" on line 1, page 1 of the original bill, and

Delete lines 2 and 3 in their entirety on page 1 of the original bill, and insert in lieu thereof the following: "by providing for prosecution of violations and use of injunction under the act regulating the practice of optometry."

Delete all of lines 6 through 21 on page 1 of the original bill and insert in lieu thereof the following: ["Justices of the peace and the respective municipal courts shall have jurisdiction of violations of this act. It shall be the duty of the respective County Attorneys to prosecute all violations of this act."] It is the duty of a County Attorney of a county wherein a violation under this act is alleged to have occurred to prosecute such violation. The State Attorney General shall appear as counsel for the board in the State Supreme Court. The State Board of Examiners in Optometry, a County Attorney, or the State Attorney General may apply to a District Court for a writ of injunction to restrain violation of this chapter. An injunction under this section shall not relieve a person enjoined from criminal prosecution."

(Material in brackets deleted.)

And as amended, do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 447, respectfully report as follows: That House Bill No. 447 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 505, respectfully report as follows: That House Bill No. 505 be amended as follows:

1. Amend the title on page 1, line 9 of the original bill by deleting the words "by discontinuing said discount".

2. Amend Section 1, page 1, line 16 of the original bill by reinserting the sentence which begins "Every licensed" except for the words and figures "eight per cent (8%)" on line 18. Insert in lieu of "eight per cent (8%)" the words and figures "two and one-half percent (2½%)".

3. Amend Section 1, page 1, line 20 of the original bill by deleting the sentence which begins "The discount."

4. Further amend Section 1, page 1, line 22 of the original bill by deleting the words and figures "Eight percent (8%) of that portion". Insert in lieu thereof the words and figures "Five and one-half percent (5½%)".

5. Further amend Section 1, page 1, line 28 of the original bill by placing a period after the word "aged" and deleting the material following "aged". Insert after the word "aged" the sentence "The discount is not applicable to that portion of the tax collected for any veterans' honorarium."

And as amended, do pass.

HEALY, Chairman.

Motion was made by Healy for adoption of the committee report.

Substitute motion was made by Stranahan that House Bill No. 505 do not pass. Substitute motion was lost. Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 512, respectfully report as follows: That House Bill No. 512 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 503, respectfully report as follows: That House Bill No. 503 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 502, respectfully report as follows: That House Bill No. 502 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 501, respectfully report as follows: That House Bill No. 501 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 497, respectfully report as follows: That House Bill No. 497 do not pass.

HEALY, Chairman.

Motion was made by Healy for the adoption of the committee report.

Substitute motion was made by Obstarczyk that House Bill No. 497 be printed and placed on Second Reading. Substitute motion carried.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 510, respectfully report as follows: That House Bill No. 510 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 490, respectfully report as follows: That House Bill No. 490 be amended as follows:

On page 1, Section 1, lines 19 and 20 after the word "a" by striking the following words "mining, smelting, refining,"

And as amended, do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 491, respectfully report as follows: That House Bill No. 491 be amended as follows:

On page 3, Section 1, line 1, by inserting the following words: "mining, smelting, refining,".

And further amend on page 3, Section 1, line 5, by inserting the following words: "or private".

And further amend on page 4, Section 1, line 17 after the word purpose and the comma, by inserting the following material: "mining, smelting, refining,".

And as amended, do pass.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 be amended as follows:

Insert the following words, figure and punctuation after the word "claimant." starting on line 13 of page 2 of the original bill:

"4. If any insurer shall discontinue payments without the previous order of the board as herein provided, or appropriate order of the court, the board, upon proof of such fact or facts, shall declare such insurer ineligible to write any further workmens' compensation risks in Montana. Existing policies of such insurer shall be contained to the next premium paying date and no longer."

And further amend by deleting lines 13 through 21, page 2 of the original bill in their entirety.

And as amended, do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 be amended as follows:

Section 2, line 15 of the original bill following the period by striking out all the remaining portion of Section 2.

Section 33, line 24 of the original bill immediately following the word "obtained" by striking the word "written".

Section 3, line 25 of the original bill following the word "landowner" by striking the word "or" and inserting thereof "," and furthermore in Section 3, line 25 of the original bill following the word "lessee" by inserting the words "or their agents".

And as amended, do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 457, respectfully report as follows: That House Bill No. 457 be amended as follows:

By deleting the following words in Section 1 in lines 25, 26, 27 and 28 on page 1 of the original bill "subject to rules and regulations promulgated by the State Fish and Game Commission in the interest of public safety and protection of property and enforced pursuant to Section 26-324, R. C. M. 1947." and inserting in lieu thereof the following: "except as specifically set forth herein and enforced pursuant to Section 26-324, R. C. M. 1947."

By adding the following words in Section 1 as subsection (b) following the period in line 28 on page 1 of the original bill "(b) It shall be illegal to hunt jackrabbits on private land with artificial light unless written permission of the landowner, lessee or agent is obtained."

By deleting in Section 1 the letter "(b)" as it appears in line 29 on page 1 of the original bill and inserting in lieu thereof the letter "(c)".

And as amended, do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 be amended as follows:

Page 1, lines 4 and 5, in the title of the original bill delete the words "certain" and "activities" between the words "of" and "by" and insert in lieu thereof "an interest in certain business enterprises".

And further amended, page 1, line 8, delete "period" and insert "comma" in lieu thereof.

And further amended, page 1, line 9, strike all of subsection (1).

And further amended, page 1, line 14, "Parenthesis two (2)" becomes "Parenthesis one (1)".

And further amended, page 1, line 20, delete word "if" and "semicolon".

And further amended, page 1, line 21 through 28, strike subsections "(1), (2), (3)" and insert in lieu thereof "regarding any business enterprise, incorporated, or unincorporated, or co-operative, in which he, his wife or children have directly or indirectly a financial interest in excess of a one percent (1%) ownership interest or in which he, his wife or children are an owner, partner, officer or director."

And further amended, page 1, line 30, after the word "activity" strike the rest of the sentence through the word "activity" on line 31, and insert the following in lieu thereof "of such business enterprise and the amount of financial interest, and the office or other position which is held in connection with such business enterprise".

And further amended, page 2, line 5, delete the word "he" between the words "after" and "office" and insert in lieu thereof the following: "such official".

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 496, respectfully report as follows: That House Bill No. 496 be amended as follows:

HOUSE SUBSTITUTE FOR HOUSE BILL NO. 496

INTRODUCED BY CEROVSKI.

23-1306, 23-1307, 23-1308, 23-1309

A BILL FOR AN ACT ENTITLED: "A BILL TO PROVIDE EXTRA ASSURANCES THAT AN ABSENTEE VOTER'S BALLOT WILL BE COUNTED BY AMENDING SECTIONS 23-1306, 23-1307, 23-1308, AND 23-1309, REVISED CODES OF MONTANA 1947, AS AMENDED."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 23-1306, Revised Codes of Montana, 1947, be and the same is hereby amended to read as follows:

"23-1306. Mailing ballot to elector—form of return and affidavit. Upon receipt of such application, properly filled out and duly signed, or as soon thereafter as the official ballot for the precinct in which the applicant resides has been printed, the said county or city or town clerk shall send to such elector by mail, postage prepaid, one official ballot, or if there be more than one ballot to be voted by an elector of such precinct, one of each kind, and shall inclose with such ballot or ballots an envelope, to be furnished by such county or city or town clerk, which envelope shall bear upon the front thereof the name, official title and postoffice address of such county or city or town clerk, and upon the other side a printed affidavit, in substantially the following form:

State of _____ }
County of _____ } ss.

I, _____, do solemnly swear that I am a resident of the _____precinct, (and if he be a resident of a city or town, add: "Residing at _____, in the town or city of _____,") county of _____and state of Montana, and entitled to vote in such precinct at the next election; that I expect to be absent from the said county of my residence or, in all probability, to be physically incapacitated from going to my precinct poll on the day of holding such election and that I will have no opportunity to vote in person on that day.

Subscribed and sworn to before me this _____day of _____19_____; and I hereby certify that the affiant exhibited to me the enclosed ballot or ballots for inspection before marking, and that the same was (or were) then unmarked and that he then in my presence, and in the presence of no other person, and in such manner that I could not see his vote, marked said ballot (or ballots) and inclosed and sealed the same in this envelope. That the affiant was not solicited or advised by me to vote for or against any candidate or measure.

Both the envelope in which the ballot is mailed to the elector in the United States service and the return envelope enclosed therein shall have printed across the face two parallel horizontal red bars, each one-quarter inch wide, extending from one side of the envelope to the other side, with an intervening space of one-quarter inch, the top bar to be one and one-quarter

inches from the top of the envelope, and with the words "Official Election Balloting Material—via Air Mail," or similar language, between the bars; that there be printed in the upper right hand corner of each such envelope, in a box, the words "Free of U. S. Postage, Including Air Mail"; that all printing on the face of each such envelope be in red; and that there be printed in red in the upper left corner of each state ballot envelope an appropriate inscription or blanks for return address of sender.

The return envelope shall be self-addressed to the county or city or town clerk.

The county or city or town clerk shall enclose with the ballot mailed to the elector in the United States service instructions for voting and returning the ballot.

The county or city or town clerk shall enclose with the ballot mailed to the elector a paper seal, with the official seal of the clerk thereon, to be used by the voter to seal the envelope before mailing or delivering the envelope to the said county or city or town clerk.

Section 2. That Section 23-1307, Revised Codes of Montana, 1947, be and the same hereby is amended to read as follows:

"23-1307. Marking and swearing to ballot by elector. Such voter shall make and subscribe the said affidavit before an officer authorized by law to administer oaths, pursuant to the laws of the place of execution and may do so at any place including any foreign country, before any officer authorized by the laws of the place of execution to take acknowledgments of instruments, and such voter shall thereupon, in the presence of such officer and of no other person, mark such ballot or ballots, but in such manner that such officer cannot see the vote, and such ballot or ballots thereupon, in the presence of such officer, shall be folded by such voter so that each ballot shall be separate, and so as to conceal the vote, and shall be, in the presence of such officer, placed in such envelope securely sealed. Said officer shall thereupon append his signature and official title at the end of said jurat and affidavit. Said envelope shall be sealed with the seal provided by the said clerk of the county or city or town and shall be mailed by such absent or physically incapacitated voter, postage prepaid, or delivered to the county or city or town clerk, as the case may be."

Section 3. That Section 23-1308, Revised Codes of Montana, 1947, be and the same hereby is amended to read as follows:

"23-1308. Upon receipt of such envelope, such county or city or town clerk shall forthwith inclose the same, unopened, together with the written application of such absent voter or physically incapacitated voter in a larger envelope, which shall be securely sealed with a paper seal with the official seal of the clerk thereon, and indorsed with the name of the proper voting precinct, the name and official title of such clerk, and the words "This envelope contains an absent or physically incapacitated voter ballot, and must be opened only on election day at the polls when the same are open," and such clerk shall safely keep the same in his office until the same is delivered or mailed by him as provided in the next section."

Section 4. That Section 23-1309, Revised Codes of Montana, 1947, be and the same hereby is amended to read as follows:

"23-1309. Delivery or mailing of ballots to election judges. In case such envelope is received by such clerk prior to the delivery of the official ballots to a judge of election of the precinct in which such absent or physically incapacitated voter resides, said larger envelope, containing the said voter's envelope, and his said application as above provided, shall be delivered to the judge of election of such precinct, to whom the official ballots of the precinct shall be delivered, and at the same time. In case the official ballot for such precinct shall have been delivered to the judge of

election prior to the time of the receipt by the said clerk of said absent or physically incapacitated voter's envelope, such clerk shall immediately after inclosing such voter's envelope and his application in a larger envelope, and after endorsing the latter as provided in the foregoing section, address and mail the larger envelope, postage prepaid, to the said judge of election of said precinct, as hereinafter further provided. If any absentee ballots are received by the clerk for which application was made after 12 noon on the day next preceding an election, the clerk shall endorse upon the voter's envelope the date and exact time or receipt and the words "To be rejected by authority of Section 23-1309, R. C. M. 1947." Absentee ballot endorsed in this manner shall be delivered to the judge of election of said precinct and shall be rejected by the judge of election. Provided, however, that ballots received up to and including 6:00 o'clock P. M. of election day from voters whose application was received prior to 12 noon on the day next preceding an election shall be delivered, by the said county or city or town clerk or deputies thereof, to a judge of election of the precinct in which such absent or physically incapacitated voter resides. Said clerk or deputy to receive mileage for such delivery."

Section 5. All acts or parts thereof in conflict herewith are repealed.

And as amended, do pass.

WATT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee.

House Resolution No. 9, introduced by Rehberg, Woodard, Pierce, O'Leary, Gerke, Sheehy, Felt, Crum: A Resolution of the House of the State of Montana declaring Montana vacations for Montanans, too, year and commending the Billings Advertising and Sales Club. Referred to Committee on Business and Industry.

Bashor, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 114.

Motion was made by Cerovski that the motion by Bashor be laid on the table, asked for a Call of the House, a roll call vote and the results to be spread on the Journal. Sufficient seconds arose, and the Speaker ordered a Call of the House. Progress having been shown, Cerovski moved that the Call of the House be dispensed with. Motion lost. Call of the House continued. Progress having been shown, Lucas moved that the Call of the House be dispensed with. Motion carried.

Roll call vote was taken on the substitute motion by Cerovski that the motion by Bashor that the House reconsider its action on House Bill No. 114, be laid on the table. Motion carried by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 55.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, Haines, James, Jenkins, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting,

Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 38.

Absent or not voting: None.

Excused: Fischer. Total 1.

Motion was made by Scherf that the House reconsider its action on House Bill No. 497, and that it be printed and placed on Second Reading. Motion was lost.

Motion was made by Harper that House Bill No. 24 be taken from the Bills Committee and placed on Second Reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Bailey of Valley in the Chair. House arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 303 be placed after House Bill No. 483 on the list.

That consideration of House Bill No. 311 be passed for this sitting.

That House Bill No. 455 be placed at the bottom of the list, along with House Bills Nos. 453 and 454, and in order.

That House Substitute to House Bill No. 19 be amended as follows:

Amend Section 1 by inserting in line 4, page 2 of the printed bill, after the letters and punctuation "(MAA)" the words and letters and punctuation "an old age assistance (OAA)".

Amend Section 1 by striking out in line 24 on page 2 of the printed bill, being line 1 on page 2 of the original House Substitute Bill, following the word "preventive" the word "sources", and inserting in lieu thereof the word "services".

Amend Section 2 by striking out in line 7 on page 4 of the printed bill, being line 8 on page 3 of the original House Substitute Bill, after the date "1947", the semicolon the words "but such persons shall be eligible to receive out-patient services despite receiving old age assistance" and inserting in lieu thereof a period "(.)".

Amend Section 2 by striking out in line 21 following the word "applicant" the words "and deduction of social security payments, does not exceed one thousand five hundred (\$1,500.00)" and inserting in lieu thereof the words "does not exceed twenty-five hundred (\$2,500.00)".

Amend Section 2 by striking out in line 25, following the word "incurred" the words "and social security payments, combined with the income of his spouse (provided they are living together), does not exceed twenty-five hundred (\$2,500.00)" and inserting in lieu thereof the words "combined with the income of his spouse (provided they are living together) does not exceed three thousand (\$3,000.00)".

Amend Section 2 in line 17 on page 4 of the printed bill, being line 18 on page 3 of the original House Substitute Bill by inserting after the word "is" the word "not".

Amend Section 2 by striking out in line 39 on page 5 of the printed bill, being line 5 on page 4 of the original House Substitute Bill the word "as" and inserting in lieu thereof the word "an".

Amend Section 2 in line 41 on page 5 of the printed bill, being line 7 on page 4 of the original House Substitute Bill by inserting after the word "policies" the word "not".

Amend Section 6 in line 3 on page 6 of the printed bill, being line 28 on page 4 of the original House Substitute Bill by inserting after the word "of" the word "each".

Amend Section 18 by striking out in line 30 on page 15 of the printed bill, being line 1 on page 13 of the original House Substitute Bill following the word "within" the word and figure "two (2)" and inserting in lieu thereof the word and figure "five (5)".

Amend Section 18 by striking out in line 34 on page 15 of the printed bill, being line 6 on page 13 of the original House Substitute Bill, following the word "or" the word "in-patient".

And as so amended, do pass.

That House Bill No. 399 do pass.

That House Bill No. 483 do pass.

That House Bill No. 303 be amended as follows:

In the sponsor section on line 2 of the printed bill by deleting the name "Michels" and inserting in lieu thereof the name "Nichols".

Amend Section 2, page 1, line 21 of the original bill, which is Section 2, page 1, line 3 of the printed bill, by deleting the words "31st of December of the year of filing" and inserting in lieu thereof the words "the first Monday in January of the year following the filing".

Add the following material on page 1, after line 21 of the original bill, which is between sections 2 and 3, page 1 of the printed bill, and renumbering the present Section 3 of the original and printed bills to read "Section 4":

"Section 3. (1) Notwithstanding the provisions of Section 23-909, R. C. M. 1947, if, after the primary, and before the general election there is not a candidate nominated and entitled to have his name printed on the ballot for any office to be vacated by reason of the provisions of this act, then the city, county and state central committees of political parties otherwise required to nominate candidates under the provisions of chapter 9 of title 23 may nominate such candidates as in other cases of vacancies occurring among the candidates of their respective parties.

(2) The form, filing fee and time and place of filing certificates of nominations so made shall be governed by the applicable provisions of Chapter 8 of Title 23."

And further amend Section 2, line 2 of the printed bill by inserting the word "elective" between the words "an" and "office".

And as so amended, do pass.

That the Committee rise and report and beg leave to sit again.

BAILEY, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following having been read three several times, title and history agreed to, were disposed of the following manner:

House Bill No. 295 was passed by the following vote:

Ayes: Atkins, Bardanouve, Bashor, Bollinger, Broeder, Casey, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Eskildsen, Flynn,

Gerke, Haines, Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Schye, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 57.

Noes: Aasheim, Asbjornson, Bailey, Cerovski, Eklund, Falkenstern, Garrison, Gilfeather, Gilligan, Gunderson, Hall, Holtz, Pierce, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Slaby, Smiley, Smith, Spilde, Swanz, Twedt, Woodard. Total 26.

Paired: Fischer, aye; Lucas, no.

Absent or not voting: Boughton, Brenner, Crum, Egan, Felt, Gill, Hanks, Scherf, Sheehy. Total 9.

Excused: None.

House Bill No. 468 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 75.

Noes: Broeder, Dye, East, Falkenstern, Jensen, Smiley, Smith, Swanz, Williams, Woodard. Total 10.

Absent or not voting: Boughton, Brenner, Crum, Felt, Garrison, Gill, Scherf, Sheehy. Total 8.

Excused: Fischer. Total 1.

House Bill No. 302 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Dye, Egan, Eskildsen, Falkenstern, Felt, Garrison, Gerke, Gilfeather, Gilligan, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 73.

Noes: Bollinger, Cregg, Deschamps, Eklund, Flynn, Harper, Lombardi, O'Hair, Shugrue, Tracy, Mr. Speaker. Total 11.

Absent or not voting: Aasheim, Boughton, Brenner, Crum, East, Gill, Gunderson, Scherf, Sheehy. Total 9.

Excused: Fischer. Total 1.

House Bill No. 477 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gil-

feather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Atkins, Broeder, Dye, Pierce, Rehberg. Total 5.

Absent or not voting: Boughton, Brenner, Crum, Gill, Scherf, Sheehy. Total 6.

Excused: Fischer. Total 1.

House Bill No. 305 was passed by the following vote:

Ayes: Atkins, Bailey, Bardanouve, Bashor, Bollinger, Cerovski, Christiansen, Cregg, Cummings, Delano, East, Falkenstern, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lund, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Leary, Prevost, Raundal, Sartz, Schepens, Schye, Selstad, Slaby, Stranahan, Sullivan, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 52.

Noes: Aasheim, Asbjornson, Broeder, Casey, Deschamps, Dye, Egan, Eklund, Eskildsen, Felt, Flynn, Garrison, Harper, James, Laas, Lombardi, Lucas, MacCalman, Mather, McNamer, Nichols, Nutting, O'Hair, Pierce, Rehberg, Rygg, Shugrue, Smiley, Smith, Spilde, Swanz, Tooke, Tracy, Ulmer, Woodard. Total 35.

Absent or not voting: Boughton, Brenner, Crum, Gill, Scherf, Sheehy. Total 6.

Excused: Fischer. Total 1.

House Bill No. 397 was passed by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Casey, Cerovski, Christiansen, Cummings, Egan, Eklund, Eskildsen, Falkenstern, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Schye, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Willits, Zimmer. Total 51.

Noes: Asbjornson, Bailey, Bollinger, Broeder, Cregg, Delano, Deschamps, Dye, East, Felt, Garrison, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Selstad, Smiley, Smith, Spilde, Swanz, Watt, Williams, Woodard. Total 35.

Absent or not voting: Boughton, Brenner, Crum, Gill, Scherf, Sheehy, Mr. Speaker. Total 7.

Excused: Fischer. Total 1.

House Bill No. 223 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bardanouve, Bashor, Broeder, Casey, Cerovski, Christiansen, Cregg, Delano, East, Egan, Eklund, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, McNamer, McOmber, Meccage, Nelson, Nichols,

Nutting, O'Hair, O'Leary, Pierce, Raundal, Rehberg, Sartz, Schye, Slaby, Spilde, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 59.

Noes: Aasheim, Bailey, Bollinger, Cummings, Deschamps, Dye, Eskildsen, Haines, Hall, Harper, Laas, Lombardi, Mather, McDonald, McNamara, Nefzger, Obstarczyk, Prevost, Rygg, Schepens, Selstad, Shugrue, Smiley, Smith, Stranahan, Sullivan, Tracy. Total 27.

Absent or not voting: Boughton, Brenner, Crum, Gill, Scherf, Sheehy, Zimmer. Total 7.

Excused: Fischer. Total 1.

House Bill No. 472 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Felt, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 73.

Noes: Dye, Falkenstern, Garrison, Haines, James, Jenkins, Johnson, Loman, Mather, Pierce, Rehberg, Schye, Smith, Spilde, Woodard. Total 15.

Absent or not voting: Boughton, Brenner, Crum, Gill, Sheehy. Total 5.

Excused: Fischer. Total 1.

House Bill No. 418 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Eklund, Eskildsen, Felt, Gerke, Gilfeather, Gilligan, Haines, Hall, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Scherf, Selstad, Shugrue, Slaby, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 60.

Noes: Aasheim, Broeder, Deschamps, Dye, East, Egan, Falkenstern, Flynn, Gunderson, Hanks, Harper, James, Jenkins, Laas, Nefzger, Nutting, Obstarczyk, O'Hair, Rehberg, Schepens, Schye, Smiley, Spilde, Stranahan, Tooke, Woodard. Total 26.

Paired: Fischer, aye; Garrison, no.

Absent or not voting: Boughton, Brenner, Crum, Gill, Sheehy, Smith. Total 6.

Excused: None.

House Bill No. 438 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk,

O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Atkins, Cummings, East, Schepens. Total 4.

Absent or not voting: Boughton, Brenner, Crum, Gill, Scherf, Sheehy, Willits. Total 7.

Excused: Fischer. Total 1.

House Bill No. 437 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Williams, Willits, Woodard, Zimmer. Mr. Speaker. Total 85.

Noes: Atkins, Watt. Total 2.

Absent or not voting: Boughton, Brenner, Crum, Gill, Scherf, Sheehy. Total 6.

Excused: Fischer. Total 1.

House Bill No. 451 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Bailey, Broeder, Rygg, Watt. Total 4.

Absent or not voting: Boughton, Brenner, Crum, Gill, Sheehy. Total 5.

Excused: Fischer. Total 1.

House Bill No. 195 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley,

Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Boughton, Brenner, Crum, Sheehy. Total 4.

Excused: Fischer. Total 1.

House Joint Resolution No. 26 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Williams, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Garrison, Sullivan, Watt, Willits. Total 4.

Absent or not voting: Boughton, Brenner, Crum, Rygg, Scherf, Sheehy. Total 6.

Excused: Fischer. Total 1.

House Joint Resolution No. 25 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Woodard, Mr. Speaker. Total 73.

Noes: Atkins, Bashor, East, Garrison, Gilligan, Jenkins, Mather, McNamer, Nefzger, Slaby, Smith, Tooke, Williams, Willits, Zimmer. Total 15.

Absent or not voting: Boughton, Brenner, Crum, Sheehy, Smiley. Total 5.

Excused: Fischer. Total 1.

House Bill No. 226 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Harper, Nefzger. Total 2.

Absent or not voting: Boughton, Brenner, Crum. Total 3.

Excused: Fischer. Total 1.

House Joint Resolution No. 4 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Cerovski, Cregg, Cummings, Deschamps, Eklund, Eskildsen, Flynn, Gerke, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, McDonald, McNamer, McOmber, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Raundal, Sartz, Sheehy, Shugrue, Slaby, Stranahan, Tracy, Twedt, Watt, Zimmer, Mr. Speaker. Total 50.

Noes: Asbjornson, Broeder, Casey, Christiansen, Delano, Dye, East, Egan, Falkenstern, Felt, Garrison, Gilfeather, James, Jenkins, Loman, Lucas, Lund, MacCalman, Mather, McNamara, Nelson, Nutting, Prevost, Rehberg, Rygg, Schepens, Scherf, Schye, Selstad, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Ulmer, Williams, Willits, Woodard. Total 39.

Absent or not voting: Bashor, Boughton, Brenner, Crum. Total 4.

Excused: Fischer. Total 1.

House Joint Resolution No. 22 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Cregg, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hanks, Harper, Healy, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 73.

Noes: Christiansen, Cummings, Gerke, Gunderson, Holtz, Johnson, McDonald, McNamara, O'Hair, Prevost, Raundal, Scherf, Shugrue, Slaby, Twedt. Total 15.

Absent or not voting: Boughton, Brenner, Crum, Hall, Smith. Total 5.

Excused: Fischer. Total 1.

House Bill No. 99 was passed by the following vote:

Ayes: Asbjornson, Bailey, Broeder, Casey, Cerovski, Christiansen, Cregg, Delano, Deschamps, Dye, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gill, Haines, Hall, Holtz, James, Jenkins, Johnson, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, McDonald, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Williams, Woodard, Zimmer, Mr. Speaker. Total 61.

Noes: Aasheim, Atkins, Bardanouve, Bashor, Bollinger, Cummings, East, Egan, Gerke, Gilfeather, Gilligan, Gunderson, Hanks, Harper, Healy, Judge, Laas, Lombardi, Mather, McNamara, Nefzger, O'Hair, Raundal, Schepens, Shugrue, Tracy, Watt. Total 27.

Absent or not voting: Boughton, Brenner, Crum, Jensen, Willits. Total 5.

Excused: Fischer. Total 1.

House Bill No. 368 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt,

Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Atkins, Sullivan. Total 2.

Absent or not voting: Brenner, Crum, Garrison, Jensen. Total 4.

Excused: Fischer. Total 1.

House Bill No. 229 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Crum, Jensen. Total 2.

Excused: Fischer. Total 1.

House Bill No. 228 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Crum, Jensen. Total 2.

Excused: Fischer. Total 1.

House Bill No. 235 was passed by the following vote:

Ayes: Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Felt, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Sartz,

Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 75.

Noes: Aasheim, Asbjornson, Boughton, Broeder, Dye, East, Falkenstern, Nutting, Raundal, Rygg, Selstad, Smiley, Smith, Stranahan, Swanz. Total 15.

Absent or not voting: Crum, Jensen, Nichols. Total 3.

Excused: Fischer. Total 1.

House Bill No. 178 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardonouve, Bashor, Bolinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 71.

Noes: Boughton, Broeder, Deschamps, Falkenstern, Felt, Garrison, Gunderson, James, Lucas, Lund, MacCalman, Rygg, Scherf, Smiley, Smith, Swanz, Ulmer, Williams. Total 18.

Absent or not voting: Crum, Jensen, Nichols, Spilde. Total 4.

Excused: Fischer. Total 1.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

February 10, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 256, beg leave to report that the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 513, respectfully report as follows: That House Bill No. 513 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 511, respectfully report as follows: That House Bill No. 511 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 504, respectfully report as follows: That House Bill No. 504 be amended as follows:

Delete lines 29 through 32 on page 1 of the original bill and lines 1 and 2 on page 2 of the original bill, in their entirety, and insert in lieu thereof the following words and punctuation:

"In the case of a taxpayer other than a resident of this state, the deductions allowed in computing net income shall be restricted to those directly connected with the production of Montana income, except however, in the case of a nonresident domiciled in the State of Montana, who has not abandoned his residency in another state, such taxpayer shall be allowed those deductions allowed a resident to the extent that such deductions were actually incurred or expended in the State of Montana during the course of his employment."

And be further amended:

Delete the words "providing for proration of exemptions;" on lines 8 and 9, page 1, of the original bill.

And as amended, do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 506, respectfully report as follows: That House Bill No. 506 be amended as follows:

1. Amend Section 2, subsection 2, page 2, line 7 of the original bill by adding after the period the following material: "However, a non-resident contractor who has purchased a contractor's license prior to the effective date of this act will have his money refunded and purchase a non-resident contractor's license."

2. Amend Section 9, page 3, line 19 of the original bill by adding after the period the following material: "A non-resident corporation may file a statement of intent to become a resident corporation with the board of equalization. The corporation's status may not be changed to resident until after five (5) years of such filing. If the board of equalization finds that a corporation has been formed to circumvent the provisions of this act, it shall require the corporation to purchase a non-resident license."

3. On page 3, line 26 of the original bill add the following material: "Section 11. This act is effective on its passage and approval."

And as amended, do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 508, respectfully report as follows: That House Bill No. 508 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 403, respectfully report as follows: That House Bill No. 403 do not pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 440, respectfully report as follows: That House Bill No. 440 be amended as follows:

Line 5, page 1 of the title of the original bill delete the word "substance" and insert in lieu thereof the word "part".

Further amend page 1, lines 5 and 6 of the original bill, amend the title of the bill by deleting the following words "and leaving the substance of such statement to the board's discretion".

And further amend page 1, line 27, of the original bill, amend Section 1, by striking out the deletion after the word "show" and continuing through line 18, page 2, ending with the word "sale", which will restore that material to its original context.

And further amend page 2, line 19, of the original bill by striking out the figure "9", and retain the strike-out in the remainder of that line.

Further amend page 2, beginning in line 20 through line 24, striking out the deletion and restoring that material to its original context, and renumbering those subsections to read "9", "10" and "11".

And further amend page 2, line 24, of the original bill, change the "period" at the end of the line to a "comma".

And further amend page 2, line 25 of the original bill by inserting the word "and" before the word "any" and inserting between the word "any" and "information" the word "other".

And further amend page 4, lines 1 through 3 of the original bill, delete the strikeout and restore all that material to its original context.

And further amend page 4, line 11 of the original bill by inserting between the words "and" and "any" the following: "such expenditures shall not include the salaries or any portion thereof of".

And further amend page 4, lines 15 and 16 of the original bill, delete all the material contained in these two lines; and renumbering the two following subsections accordingly.

And as amended, do pass.

SHEEHY, Chairman.

Motion was made by Sheehy that the committee report be adopted.

Substitute motion was made by MacCalman that House Bill No. 440 do not pass. Substitute motion was lost. Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 369, respectfully report as follows: That House Bill No. 369 be amended as follows:

Delete the title in its entirety and insert in lieu thereof the following:

"A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO REGULATION OF CERTAIN JUNKYARDS; AUTHORIZING THE REQUIREMENT OF BONDS IN CERTAIN CASES; PROVIDING A PENALTY FOR VIOLATIONS OF THE ACT; AMENDING SECTION 11-918, R.C.M., 1947; AND PROVIDING FOR REMOVAL AND SALE OF ABANDONED MOTOR VEHICLES.

Delete everything after the enacting clause on pages 1, 2, 3, 4 and 5 of the original bill and insert in lieu thereof the following:

"Section 1. The purpose of this act is: (1) To prevent the distraction of motorists.

(2) To enhance scenic beauty along roads.

Section 2. As used in this act unless the context otherwise requires:

(1) "Road" means a county, state, federal or limited access highway including bridges and bridge approaches.

(2) "Junkyard" means a place where five (5) or more junked, wrecked or non-operative automobiles, vehicles, machines, and other similar scrap or salvage materials are located.

(3) "Operator or operators" means a person, firm, or corporation who operates a junkyard, or who allows a junkyard to be placed or to remain on premises owned or controlled by him.

(4) "Person" means an individual, firm, agency, company, association, partnership, business trust, joint stock company or corporation.

(5) "Board" means Highway Patrol Board.

(6) "Supervisor" means Highway Patrol Supervisor.

(7) "Permit" means the document which allows a person to operate a junkyard under this act.

Section 3. No person shall operate a junkyard which is closer than 2,000 feet to the centerline of a road unless a permit is obtained from the supervisor. The operation of such a junkyard without such permit is declared to be a public nuisance. The supervisor shall charge a fee of fifty dollars (\$50.00) for the issuance of such a permit. A permit shall be effective for a one (1) year period. Fees collected shall be deposited with the state treasurer to the credit of the general fund.

Section 4. (1) Before issuing such permit the supervisor shall require screening of a junkyard when: (a) It is within 2,000 feet of the centerline of a road;

(b) It is not hidden from the view of motorists using the road by an artificial or natural screen or by natural topography.

(2) The screening required may be effected: (a) By the construction of a fence, or

(b) By plants, shrubs, trees, or flowering plants which provide a suitable and sufficient screen, or

(c) By making use of existing foliage.

(3) The required screening must be installed within six (6) months after the effective date of this act and must be maintained (i.e., painted, rebuilt, etc.) thereafter.

(4) All dismantling, stripping, burning, wrecking or other total or partial destruction of vehicles, machines, or similar scrap or salvage materials, and the storage thereof, shall be within such screened enclosure.

Section 5. When the supervisor has reasonable cause to doubt the financial responsibility of an operator or his compliance with this act, the supervisor may require him to furnish and maintain a bond. In each case, he shall approve the form, amount, and the sureties. The bond shall be no less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00), conditioned upon the operator complying with the provisions of this act and the regulations adopted pursuant to it.

Section 6. When the supervisor finds compliance with this act would cause peculiar or exceptional hardship to an operator the junkyard may be maintained for a period of one (1) year following the effective date of this act. However, it may not be expanded in any manner.

Section 7. The board has the power to: (1) Exercise general supervision of the administration and enforcement of this act.

(2) Adopt after a hearing rules and regulations concerning the operation of junkyards which the supervisor deems necessary to the administration and enforcement of this act.

(3) Adopt without a hearing rules and regulations concerning material, foliage and screening which will insure accomplishment of the purposes of this act.

(4) Adopt without hearing rules and regulations concerning the procedural aspects of hearings, and detail necessary to the enforcement and administration of this act.

(5) Issue after a hearing: (a) orders abating the operation of a junkyard which violates this act, or

(b) orders which require adoption of remedial measures including construction or planting of screens or the utilization of natural screening, extension, modification or addition to new or existing screens.

(6) Issue, renew, revoke, modify or deny permits for the operation of a junkyard.

(7) Make investigations or inspections which are deemed necessary by the supervisor: (a) to insure compliance with the provisions of this act,

(b) to insure compliance with rules, regulations or orders of the board which are deemed necessary to the administration and enforcement of this act.

(8) Institute in a court of competent jurisdiction procedures to compel compliance with the provisions of this act or with the orders, rules and regulations issued pursuant to it.

(9) Enter at a reasonable time through an officer, assistant, agent or employee public or private property for the purpose of inspection of conditions relating to the operation of a junkyard.

Section 8. (1) Public hearings shall be conducted by the board:

(a) prior to the adoption of rules or regulations which concern the prevention, abatement or control of junkyards;

(b) before the issuance of an order prohibiting an act or acts deemed in contravention of any rules, regulations, orders or permits of the board;

(c) before denial, revocation or modifications of a permit provided for by this act;

(d) before any other final determination is made by the board which directly affects the activities of a person.

(2) The board shall grant a hearing to a person: (a) who has not been heard in connection with issuance of an order or the making of a determination, and

(b) who considers himself aggrieved by an order or determination and

(c) who shall file with the board a petition. The petition shall explain briefly why an order or determination is contrary to law or is injurious to him, and request a hearing. At a hearing the petitioner may appear in person or by attorney, may submit evidence, and shall be given the opportunity to be heard.

(3) Hearings provided for in this act may be conducted by the supervisor or a highway patrol official designated by him in the name of the board at a time and place specified by the supervisor.

Section 9. At an administrative hearing the supervisor or a highway patrol official designated by him to hold the hearing may: (a) administer oaths

(b) examine witnesses and

(c) issue in the name of the board notices of hearings and subpoenas to witnesses and for production of evidence relevant to any matter involved in the hearing.

Section 10. (1) Within fifteen (15) days of the mailing of notice of the final decision of the board, a person who has petitioned for a hearing may appeal from the decision.

(2) Appeal will be made to the district court of the county in which the junkyard is located.

(3) The court shall set the matter for hearing upon thirty (30) days' written notice to the board and petitioner. At the hearing, the court shall take testimony, examine the facts of the case, and determine whether the petitioner is entitled to relief.

Section 11. A person violating a provision of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not less than one hundred dollars (\$100.00) nor more than two hundred fifty dollars (\$250.00). Each day of violation of the provisions of this act shall constitute a separate offense.

Section 12. Nothing in this act shall prohibit any city or town from licensing, taxing, and regulating such junkyards under the provisions of Section 11-918, R. C. M. 1947, as amended by this act.

Section 13. Section 11-918, R. C. M. 1947 is amended to read as follows: "11-918. Licensing, taxing and regulations. The city or town council has power to license, tax, and regulate auctioneers, peddlers, pawnbrokers, second-hand and junk shops, automobile junkyards, drivers, porters, pool halls and soft drink parlors, billiard tables, tenpin alleys, shooting galleries, shows, circuses, street parades, theatrical performances, and places of amusements within the city or town; provided, that the power to license, tax and regulate circuses and shows of like character and automobile junkyards shall extend three (3) miles beyond the limits of the city or town."

Section 14. Any equipment used by any operator of any junkyard to haul or transport wrecked vehicles on the public streets or highways of this state, must meet safety standards as set by the Montana highway patrol.

Section 15. The supervisor shall supply each licensee under this act an official stamp marked "motor use only" or "chassis use only." The title

to each motor vehicle wrecked or dismantled as herein provided shall be stamped with said stamp, boldly and across the face of said motor vehicle title.

Section 16. If it shall appear that any motor vehicle has been abandoned on the public highways of this state, any highway patrolman, sheriff, or municipal police officer may post conspicuously upon said vehicle a notice, in a form prescribed by the supervisor, which shall state that if said vehicle is not removed from the location at which it appears to have been abandoned within forty-eight hours the highway patrol, sheriff, or police shall remove said vehicle and dispose of it in accordance with the provisions of this act.

If the said vehicle is not removed in accordance with the notice after the said forty-eight hours have elapsed, such vehicle may be removed by such officer. Upon such removal, the officer removing such vehicle shall send notice of removal to the owner thereof as shown by the records of the registrar of motor vehicles. Such vehicle shall if not reclaimed, be held for thirty days after sending of such notice, after which it shall be sold by such officer to the highest bidder, and upon receiving the amount of such bid, the officer may issue to the successful bidder a bill of sale. The issuance of such bill of sale shall be sufficient authority to permit the registrar of motor vehicles to issue a new certificate of title to such bidder.

The amount received from such bidder shall first be used to defray costs of removal, storage, and sale. The balance, if any, shall be deposited in the general fund of the state, county, or municipality, as the case may be, removing and selling such vehicle.

At any time prior to such sale, the owner may reclaim such vehicle upon paying to the body removing such vehicle all costs incurred in removing and storing such vehicle.

And as amended, do pass.

BASHOR, Chairman.

Report adopted.

February 10, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 281.

HARPER, Chairman.

I have examined House Bill No. 281 introduced by me, and find the same to be correct.

GERKE.

The Speaker signed House Bill No. 281 in open session, the title having first been read.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Bailey of Valley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following: That House Bill No. 339 do pass.

That House Bill No. 170 do pass.

That House Bill No. 86 do pass.

That House Bill No. 156 do pass.

That the committee rise and report.

BAILEY, Chairman.

February 10, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 355, 301, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 10, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 427, 419, 436, 429, 417, 289, 365, 416, 392, House Joint Resolution No. 18, House Bill No. 121, and House Bill No. 202.

JAMES, Vice-Chairman.

Motion was made by Cerovski that the House recess until 7:30 p.m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 10, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bill No. 281, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:55 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

MESSAGES FROM THE GOVERNOR

February 10, 1965 at 4:55 p.m.

Received of Chairman, Bills Committee, Harper, House Bill No. 281.

TIM BABCOCK, Governor,

By Jeanie Morris.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Bailey of Valley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 56 do pass.

That consideration of House Bill No. 311 be passed for the day.

That House Bill No. 243 do pass.

That House Bill No. 344 do pass.

That House Bill No. 445 do pass.

That House Bill No. 348 do pass.

That House Bill No. 376 do pass.

That House Bill No. 55 do pass.

That House Bill No. 480 do pass.

That House Bill No. 306 be amended as follows:

Amend the title by striking out the words "retail liquor licensee of quantity purchases" and inserting in lieu thereof the words "person who buys in case lots".

Amend Section 1 by striking out in lines 6, 7 and 8 the words "retail liquor licensee of quantities of liquor totaling one hundred dollars (\$100.00) or more at time of purchase", and inserting in lieu thereof the words "person buying liquor in unbroken case lots".

And as amended, do pass.

That House Bill No. 217 be amended in the title by striking out the word "sixteen (16)" and inserting in lieu thereof the words "fifteen (15)".

And as so amended, do pass.

That House Bill No. 94 do pass.

That House Bill No. 459 be amended in Section 1 by striking out in line 14, page 1 of the printed bill the words "and compensation".

And as so amended, do pass.

That consideration of House Bill No. 324 be passed for the day.

During consideration of House Bill No. 263, Mr. Cerovski took the Chair.

That House Bill No. 263 do pass.

Mr. Bailey in the Chair.

That House Bill No. 485 do pass.

That House Joint Resolution No. 9 do pass.

That House Bill No. 450 do pass.

That House Joint Resolution No. 21 do pass.

That House Bill No. 453 do pass.

That House Bill No. 454 do not pass.

That House Bill No. 455 do not pass.

That consideration of House Bill No. 400 be passed for this sitting.

That consideration of House Bill No. 98 be passed for this sitting and placed on the calendar after House Bill No. 362.

That the Committee rise and report.

BAILEY, Chairman.

Motion was made by Bailey for the adoption of the Committee report. Substitute motion was made by Watt that House Bill No. 453 be segregated from the Committee of the Whole report and that it be adopted as amended. Substitute motion carried.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

REPORTS OF STANDING COMMITTEES

February 10, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 421, 489, 484, 300, 359, 517, beg leave to report the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 10, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 72, 82 beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 10, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 156, 170, 399, 86. House Substitute for House Bill No. 399 and House Bill No. 483.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 be amended as follows:

Page 1, line 10, in the title of the original bill, strike the "period and quote" and add the following language: "and defining eligibility."

And further amend:

Page 3, starting on line 19, of the original bill, in Section 2 thereof, add the following paragraph: "Aid to dependent children shall not be denied to or for the care of children who would otherwise be entitled to such aid under the laws of the State of Montana by the fact that such child is living in the home of his or her father, who is unemployed, but who is, in the opinion of the county board of public welfare of the appropriate county, either unemployable or who is honestly and responsibly seeking proper employment and is unable to find such employment, nor by the fact that such child is living in the home of a head of a household who is, at the time, receiving job training under the laws of the State of Montana; nor shall the benefits which would otherwise accrue to such child for aid to dependent children under the laws of the State of Montana be reduced by reason of either such cause."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 158 respectfully report as follows: That House Bill No. 158 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 278, respectfully report as follows: That House Bill No. 278 be amended as follows:

Page 3, line 8, after the word "equal" insert the words "at true value". and as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 446, respectfully report as follows: That House Bill No. 446 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 467, respectfully report as follows: That House Bill No. 467 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 469, respectfully report as follows: That House Bill No. 469 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 452, respectfully report as follows: That House Bill No. 452 be amended as follows:

Be amended by striking in its entirety Section 2, on lines 27 and 28, page 1 of the original bills, as follows: "Section 2. This act is effective upon its passage and approval.", and

As amended, do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 439, respectfully report as follows: That House Bill No. 439 do not pass.

LAAS, Chairman.

Motion was made by Laas for the adoption of the Committee report.

Substitute motion was made by O'Hair that House Bill No. 439 be printed and placed on Second Reading. Substitute motion lost. Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 479, respectfully report as follows: That House Bill No. 479 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 do not pass.

LAAS, Chairman.

Motion was made by Laas for the adoption of the committee report.

Substitute motion was made by Aasheim that House Bill No. 92 be printed and placed on Second Reading. After discussion, Haines moved the previous question. Motion carried. Substitute motion by Aasheim carried.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 478, respectfully report as follows: That House Bill No. 478 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 433, respectfully report as follows: That House Bill No. 433 be amended as follows:

Be amended by striking the words and punctuation in the title of the original bill in lines 7, 8 and 9 as follows: "truck, trailers and semi-trailers owned by contractors engaged principally" and insert therein the words: "one truck-tractor and low-boy trailer used by contractors engaged exclusively", and

Further amend Section 1, line 7, page 4 of the original bill by striking the words and punctuation as follows: "trucks, trailers and semi-trailers owned by contractors engaged principally" and insert therein the words: "one truck-tractor and low-boy trailer used by contractors engaged exclusively", and

As amended, do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252, do not pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 309, respectfully report as follows: That House Bill No. 309 do not pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 435, respectfully report as follows: That House Bill No. 435 do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 493, respectfully report as follows: That House Bill No. 493 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration House Bill No. 495, respectfully report as follows: That House Bill No. 495 be amended as follows:

Be amended by striking HB-495 in its entirety following the Introduction, and beginning on line 3, page 1, of the original bill and continuing through line 2, page 2, of the original bill, and substituting in lieu thereof the following:

"A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR FORMATION AND CONTROL OF JOINT HIGH SCHOOL DISTRICTS IN ADJACENT COUNTIES, AND, PROVIDING PROCEDURES FOR CREATION THEREOF BY DISTRICTS OR PARTS OF DISTRICTS."

"Be It Enacted by the Legislative Assembly of the State of Montana:

"Section 1. A majority of the resident taxpayers who are registered electors and whose names appear upon the last completed assessment roll for state, county and school district taxes, residing in a territory which is presently included in an elementary district which is a part of any organized high school district may present a petition, in writing, to the county superintendent of schools, asking that such territory be transferred to, or included in, any other high school district in an adjoining county, provided, however, that no territory within three (3) miles of an established high school shall be so transferred and provided further that the taxable valuation (the percentage valuation upon which levies are made and taxes computed) or property in the district from which said territory is taken shall not be reduced to less than seven hundred and fifty thousand dollars (\$750,000).

"Section 2. The petition shall describe the territory which it is proposed to transfer or include, and shall also state the reason for desiring such change, and the number of children of high school age, if any, residing in the territory to be transferred or included.

"Section 3. The county superintendent shall file said petition in his office immediately on receipt thereof, and shall give notice to the parties interested by posting notices at least ten (10) days prior to the time appointed for considering said petition, one (1) of which shall be in a public place in the territory which is proposed to be transferred or included, and one (1) on the door of each schoolhouse in such high school district affected by the change, and at the time stated in said notice for the consideration

of such petition, which shall not be less than ten (10) days nor more than thirty (30) days after the date of filing such petition, he shall proceed to hear such petition. He shall either grant or deny such petition based on evidence received and make an order denying or granting said petition which order shall be final, unless an appeal be taken to the board of county commissioners within thirty (30) days thereafter, and upon hearing thereof the decision of said board shall be final.

"Section 4. Such order changing high school district boundary lines will be transmitted to the high school district board of trustees of the high school district receiving such territory and the county superintendent of the county wherein such receiving high school district is situated. The high school district trustees and county superintendent must approve such transfer of territory before the order will become effective.

"Section 5. High school districts created hereunder shall be governed by the general school laws of the state.

"Section 6. Bonded indebtedness of any territory, so transferred or merged by consolidation hereunder shall remain the indebtedness and obligation of said territory, which originally incurred such bonded indebtedness and be paid by levies imposed upon the property therein.

"Section 7. This act is effective April 1, 1965."

And as amended, do pass.

AASHEIM, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Watt that House Bill No. 453 be indefinitely postponed. Motion carried.

Motion was made by Sheehy that House Bills Nos. 84 and 242 be placed at the head of the list on Second Reading for tomorrow. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a. m., Thursday, February 11, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

THIRTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 11, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present, except Garrison, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-eighth Legislative Day, find the same to be correct.

CEROVSKI, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 11, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 347, 169, 505, 448, 503, 405, 457, 332, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238 be amended as follows:

Page 3, beginning at line 19, and ending on line 26, delete in Section 2, of the original bill, the following language: "One of such commissioners shall be nominated by the party or parties plaintiff; one of such commissioners shall be nominated by the party or parties defendant. The third commissioner shall be the chairman and shall be nominated by the two commissioners previously nominated, provided, however, that if said two commissioners fail to make such choice at the time of their appointment, then such nomination shall be made by the presiding judge."

And further amend Page 4, line 9, delete the words "and nominations", in Section 2.

And further amend said Section, page 4, line 10, by deleting the word "nominating";

And further amend said Section, page 4, line 11, by deleting the word "nominated" and inserting in lieu thereof the word "appointed";

And further amend said Section, page 4, line 28 of the original bill by deleting the words "nomination and";

And further amend Section 2, page 5, line 7 of the original bill, after the word "evidence", insert the following language: "The court reporter of the court in which the election is made shall as a part of his duties attend the proceedings and shall make a record thereof as in the case of civil actions."

And further amend Section 4, of said bill, page 9, beginning on line 16, by deleting the following language; "The costs of the trial whether by condemnation commissioners or by a jury shall be taxed against the plaintiff."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 be amended as follows:

Page 1, line 3 of the original bill, strike the "\$" sign.

And further amend, page 1, line 5, strike the "\$" sign after the word "amending" and insert in lieu thereof the word "section".

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 258, respectfully report as follows: That House Bill No. 258 be amended as follows:

Page 1, line 11, of the original bill, after the word and figure "Section 1." insert the following language: "That Section 92-438, R. C. M. 1947, be amended to read as follows:"

And further amended, Page 1, line 11, of the original bill.

"That the remainder of Section 1 follow as a separate paragraph."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 be amended as follows:

Page 1, line 10 of the original bill, by adding the following words and figures after "Section 1." "That Section 92-410, R. C. M. 1947, be amended to read as follows:"

And further amended Page 1, line 14, of the original bill, by striking the word "sub" and inserting in lieu thereof the word "independent".

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 461, respectfully report as follows: That House Bill No. 461 be amended as follows:

Page 1, lines 6 and 7 of the title of the original bill, strike the words "of intention to file a mechanics lien" and insert in lieu thereof the following "to protect"

And further amend the title of the original bill, strike the "comma" after the word "owner" and add the following language, "of residential property;"

And further amend Page 1, line 8, of the title of the original bill, strike the words "that failure to serve does not affect the validity of the lien but".

And further amend strike subsection (b) of the original bill, Pages 2 and 3, starting on page 2, line 2, and continuing through page 3, line 6, and inserting in lieu thereof the following:

(b) Any persons other than laborers working on a basis of wages, who furnishes material, machinery, fixtures, work, or labor upon or for a structure designed and intended to be a residential structure, or a structure reasonably connected with residential use upon residential property, who wishes to avail himself of the provisions hereof, may serve a copy of a notice to protect such person. Such notice may be served before or during the time any such material, machinery, fixtures, work, or labor is furnished. The notice shall set forth specifically the name of the claimant, the name of the claimant's debtor, and set forth at least a general description of the nature of the material, machinery, fixtures, work or labor theretofore furnished, or to be furnished, and such service shall be made upon the owner, if a natural person, by delivering the same to him personally or by registered letter addressed to him, postage prepaid, at his last known place of residence, or, if such owner has no residence in the city or town wherein the property is located, and cannot be found therein by affixing a copy thereof conspicuously on such property between the hours of 9:00 o'clock in the forenoon and 4:00 o'clock in the afternoon. If the owner be a corporation, said service shall be made by delivering a copy to any officer, director, or managing agent thereof personally or by registered letter addressed to such corporation, postage prepaid, at its last known place of business. At the time of or after the filing of the lien, the lienor

may serve a copy of the lien upon the owner in the same manner as is provided for the notice to protect. Until service of the notice to protect or a copy of the lien has been made, as above provided, the owner without knowledge of the claim or lien of the residential property, and such property, shall be protected to the extent of any payment in good faith to any contractor or other creditor thereon, as against any persons who are permitted by this subsection to serve such notice or copy of lien."

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 do not pass.

LAAS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Broeder that House Bill No. 56 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Cerovski that the House temporarily pass Order of Business No. 8 and go on to Order of Business No. 9. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 398 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey Cerovski, Christiansen, Clegg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Sheehy, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 72.

Noes: Boughton, Broeder, Deschamps, Felt, Flynn, Haines, Laas, Lucas, Pierce, Selstad, Smith, Ulmer, Williams, Woodard. Total 14.

Absent or not voting: Atkins, Johnson, Mather, Obstarczyk, Scherf, Shugrue, Spilde. Total 7.

Excused: Garrison. Total 1.

House Joint Resolution No. 23 was passed by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Brenner, Cerovski, Christiansen, Clegg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 49.

Noes: Asbjornson, Bailey, Bollinger, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard, Zimmer. Total 39.

Absent or not voting: Bashor, Nichols, Obstarczyk, Shugrue, Spilde. Total 5.

Excused: Garrison. Total 1.

House Bill No. 427 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Stranahan, Sullivan. Total 2.

Absent or not voting: Gilfeather, Obstarczyk, Shugrue, Spilde. Total 4.

Excused: Garrison. Total 1.

House Bill No. 419 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Selstad, Sheehy, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 67.

Noes: Boughton, Broeder, Deschamps, Dye, East, Falkenstern, Haines, Harper, Jenkins, McOmber, Nichols, Nutting, O'Hair, Pierce, Rehberg, Rygg, Schye, Smiley, Smith, Spilde, Swanz, Williams, Woodard, Zimmer. Total 24.

Absent or not voting: Obstarczyk, Shugrue. Total 2.

Excused: Garrison. Total 1.

House Bill No. 436 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 83.

Noes: Atkins, Boughton, Flynn, Jenkins, McOmber, Zimmer. Total 6.

Absent or not voting: Obstarczyk, Scherf, Shugrue, Willits. Total 4.

Excused: Garrison. Total 1.

House Bill No. 429 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Aasheim, Boughton, East, Fischer, Harper, Smith, Sullivan. Total 7.

Absent or not voting: Dye, Obstarczyk, Shugrue. Total 3.

Excused: Garrison. Total 1.

House Bill No. 417 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 79.

Noes: Boughton, Broeder, Eskildsen, Felt, Harper, Lucas, Rehberg, Smith, Stranahan, Ulmer, Williams, Woodard. Total 12.

Absent or not voting: Bardanouve, Obstarczyk. Total 2.

Excused: Garrison. Total 1.

House Bill No. 289 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 85.

Noes: Boughton, East, Felt, Pierce, Rehberg, Smith, Woodard. Total 7.

Absent or not voting: Obstarczyk. Total 1.

Excused: Garrison. Total 1.

House Bill No. 365 failed to pass by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Cerovski, Cregg, Egan, Eklund, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Lombardi, McDonald, McOmber, Nefzger, O'Hair, O'Leary, Prevost, Sartz, Schepens, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Total 37.

Noes: Asbjornson, Bailey, Bollinger, Boughton, Brenner, Broeder, Casey, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Eskildsen, Falkenstern, Felt, Fischer, Gill, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, McCalman, Mather, McNamara, McNamer, Meccage, Nelson, Nichols, Nutting, Pierce, Raundal, Rehberg, Rygg, Scherf, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard, Zimmer, Mr. Speaker. Total 55.

Absent or not voting: Obstarczyk. Total 1.

Excused: Garrison. Total 1.

House Bill No. 416 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 73.

Noes: Boughton, Deschamps, Dye, East, Falkenstern, Haines, Jenkins, Lucas, MacCalman, Raundal, Rygg, Selstad, Smiley, Smith, Stranahan, Ulmer, Woodard. Total 17.

Absent or not voting: Obstarczyk, O'Hair, Scherf. Total 3.

Excused: Garrison. Total 1.

House Bill No. 392 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Boughton, Broeder, Cregg, Deschamps, Laas, Lewis, Smith, Stranahan, Watt. Total 9.

Absent or not voting: Obstarczyk, Scherf. Total 2.

Excused: Garrison. Total 1.

House Joint Resolution No. 18 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Christiansen, Crum, Delano, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall,

Healy, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 73.

Noes: Aasheim, Atkins, Broeder, Casey, Cerovski, Cregg, Cummings, Deschamps, Eskildsen, Hanks, Harper, Holtz, Jensen, Raundal, Stranahan, Willits, Zimmer. Total 17.

Absent or not voting: Brenner, Obstarczyk, Pierce. Total 3.

Excused: Garrison, Total 1.

House Bill No. 202 was passed by the following vote:

Ayes: Asbjornson, Bardanouve, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eskildsen, Falkenstern, Felt, Fischer, Gerke, Gilfeather, Gill, Gilligan, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Schepens, Scherf, Schye, Selstad, Sheehy, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 73.

Noes: Aasheim, Atkins, Bailey, Bollinger, Brenner, Egan, Eklund, Flynn, Gunderson, Haines, Hanks, Lewis, McNamara, Nefzger, Nichols, Nutting, Sartz, Shugrue, Slaby, Twedt. Total 20.

Absent or not voting: None.

Excused: Garrison. Total 1.

House Bill No. 121 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, McDonald, McNamara, McOmber, Nefzger, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 59.

Noes: Atkins, Bashor, Boughton, Broeder, Casey, Crum, Dye, East, Falkenstern, Felt, Haines, James, Jensen, Loman, Lund, MacCalman, Mather, McNamer, Meccage, Nelson, Nichols, Nutting, Rygg, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Total 32.

Absent or not voting: Harper, Obstarczyk. Total 2.

Excused: Garrison, Total 1.

Motion was made by Cerovski that the remaining bills on Third Reading be passed for this sitting. Motion carried.

Motion was made by Cerovski that the House revert to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Jensen of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We your Committee of the Whole, having under consideration business under Second Reading, recommend the following:

That House Bill No. 84 do pass.

That House Bill No. 242 be amended in the title by striking out in line 6 of the original bill, after the word "the" and before the word "number", taking out the letter "H" and inserting the letter "N".

And as so amended do pass.

That the Committee rise and report.

JENSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed Mr. Speaker in the Chair.

February 11, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 94, 348, 263, 55, 217, 450, 480, 344, 485, 459, 376, 243, 306, 242, 84, and House Joint Resolutions Nos. 9 and 21. House Bill No. 445 considered correctly engrossed.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 be amended as follows:

Page 1, line 14 of the original bill, strike the "colon" after the word "that".

And further amended page 1, line 15, of the original bill, strike all of "subsection (a)";

And further amended page 1, line 17, strike subsection "(b)" and the word following "that"

And further amend in the same line, strike the word "given" and insert in lieu thereof the word "mailed".

And further amend page 1, line 29 of the original bill, reinsert the language shown deleted, starting on page 1, line 29, with the word "[But]" and continuing through page 2, line 1, ending with the word "[just.]"

And further amended page 2, line 2, strike "subsection (3)"; page 2, line 7, strike "subsection (4)"; page 2, line 13, strike "subsection (5)".

And as amended, do pass.

(Material in brackets stricken.)

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 be amended as follows:

Insert the following words and punctuation after the word "Montana:" on line 6, page 1 of the original bill:

"Section 41-1107, R. C. M. 1947, is amended to read as follows;"

Be further amended as follows:

Insert the words "provision of a" after the word "Any" on line 15, page 1 of the original bill; and insert the word "hereinafter" after the word "contract" on line 15, page 1 of the original bill.

And as amended, do pass.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 be amended as follows:

1. Amend Section 1, Page 1, line 21 of the Original Bill by deleting the figure "\$10,000.00". Insert in lieu thereof the figure "\$6,000".

2. Further amend Section 1 on line 22 of the Original Bill by deleting the figure "\$7,500.00". Insert in lieu thereof the figure "\$5,600".

3. Further amend Section 1 on line 23 of the Original Bill by deleting the figure "\$6,000.00". Insert in lieu thereof the figure "\$5,200".

4. Further amend Section 1 on lines 26 and 27 of the Original Bill by deleting the words and figure "twenty-five dollars (\$25.00)". Insert in lieu thereof the words and figure "twenty dollars (\$20)".

5. Further amend Section 1 on line 28 of the Original Bill by deleting the words and figure "ten cents (10¢)". Insert in lieu thereof the words and figure "nine cents (9¢)".

6. Amend Section 2, Page 2, lines 20 and 21 by deleting the words and figure "twenty-five dollars (\$25.00)". Insert in lieu thereof the words and figure "twenty dollars (\$20)".

And as amended, do pass.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 be amended as follows:

Amend Section 1, pages 1, 2 and 3 of the Original Bill by deleting the material beginning with the word and figure "Below 3,000" on page 1, line 23 and ending with the figure "4026.00" on page 3, line 8. Insert in lieu thereof the following material:

POPULATION OF COUNTY	SALARY COL. A	
Below 3,000	[1,825]	2075
3,000 to 3,999	[1,875]	2125
4,000 to 4,999	[1,925]	2175
5,000 to 5,999	[1,975]	2225
6,000 to 6,999	[2,025]	2275
7,000 to 7,999	[2,175]	2425
8,000 to 8,999	[2,225]	2475
9,000 to 9,999	[2,275]	2525
10,000 to 12,499	[2,325]	2575

12,500 to 14,999	[2,375]	2625
15,000 to 17,499	[2,425]	2675
17,500 to 19,999	[2,475]	2725
20,000 to 24,999	[2,525]	2775
25,000 to 29,999	[2,575]	2825
30,000 to 39,999	[2,625]	2875
40,000 to 49,999	[2,700]	2950
50,000 to 59,999	[2,800]	3050
60,000 to 69,999	[2,900]	3150
70,000 to 79,999	[3,000]	3250
80,000 to 89,999	[3,100]	3350
90,000 to 99,999	[3,200]	3450
100,000 and over	[3,300]	3550

TAXABLE VALUATION
OF COUNTYSALARY
COL. B

Below \$2,000,000	[1,825]	2075
2,000,000 to 2,999,999	[1,875]	2125
3,000,000 to 3,999,999	[1,825]	2175
4,000,000 to 4,999,999	[1,975]	2225
5,000,000 to 5,999,999	[2,025]	2275
6,000,000 to 6,999,999	[2,175]	2425
7,000,000 to 7,999,999	[2,225]	2475
8,000,000 to 9,999,999	[2,275]	2525
10,000,000 to 11,999,999	[2,325]	2575
12,000,000 to 13,999,999	[2,375]	2625
14,000,000 to 15,999,999	[2,425]	2675
16,000,000 to 17,999,999	[2,475]	2725
18,000,000 to 19,999,999	[2,525]	2775
20,000,000 to 22,499,999	[2,575]	2825
22,500,000 to 24,999,999	[2,625]	2875
25,000,000 to 29,999,999	[2,700]	2950
30,000,000 to 34,999,999	[2,800]	3050
35,000,000 to 39,999,999	[2,900]	3150
40,000,000 to 44,999,999	[3,000]	3250
45,000,000 to 49,999,999	[3,100]	3350
50,000,000 to 54,999,999	[3,200]	3450
55,000,000 to 59,999,999	[3,300]	3550
60,000,000 to 64,999,999	[3,300]	3550
65,000,000 to 69,999,999	[3,300]	3550
70,000,000 to 74,999,999	[3,300]	3550
75,000,000 to 79,999,999	[3,300]	3550

And as amended, do pass.

(Material in brackets stricken.)

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 be amended as follows:

1. Amend the title on page 1, line 9 of the original bill by adding after the word "justices" a semi-colon.

2. Further amend the title on page 1, line 9 of the original bill by adding after the first "and" the words "relating to mileage rates for".

3. Amend Section 3, subsection (2) on page 3, line 4 of the Original Bill by re-inserting the words and figure "eleven cents (11¢)" and deleting the words and figure "ten cents (10¢)".

And as amended, do pass.

TWEDT, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 11, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 11, introduced by Melcher, et al.

Senate Bill No. 62, introduced by Turnage, et al.

Senate Bill No. 92, introduced by Bentz, et al.

Senate Bill No. 125, introduced by Committee on Highways and Transportation.

Senate Bill No. 133, introduced by Brenner, et al.

Senate Bill No. 138, introduced by Rostad, et al.

Senate Bill No. 176, introduced by Groff.

Senate Bill No. 179, introduced by Mahoney, et al.

Senate Bill No. 184, introduced by McGowan.

Senate Bill No. 187, introduced by Reardon.

Senate Bill No. 204, introduced by Melcher.

Senate Bill No. 220, introduced by Melcher, et al.

Senate Joint Resolution No. 7, introduced by Lehrkind, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Sheehy that the House suspend its rules temporarily for the purpose of introducing a Resolution. Motion carried by unanimous consent of the House.

The following House Joint Resolution was introduced, read first time, and referred to Committee:

House Joint Resolution No. 38, introduced by Sheehy, Gerke, O'Leary, Wayrynen, Cerovski, Harper, Hall, Lucas: A joint resolution of the Senate and House of Representatives of the State of Montana expressing support for the United States commitment of assistance to the Republic of Viet Nam and further expressing support for recent United States military action against basis in North Viet Nam. Referred to Committee on Constitution, Elections & Federal Relations.

FIRST READING AND COMMITMENT OF BILLS

The following were introduced, read first time and referred to Committees:

Senate Bill No. 11, introduced by Melcher, Nixon, Brenner: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 2, Article XII of the Montana Constitution permitting the legislative assembly to exempt from property taxation household goods,

furniture and wearing apparel used by the owner for personal and domestic purposes." Referred to Committee on Ways and Means.

Senate Bill No. 62, introduced by Turnage, Dussault, McDonnell: A bill for an act entitled: "An act amending Section 91-4405, R. C. M. 1947, eliminating the exception to the payment of inheritance taxes in certain cases of property held in co-ownership or in joint tenancy; and amending Section 91-4409, R. C. M. 1947, by increasing the percentage of tax in certain classes." Referred to Committee on Ways and Means.

Senate Bill No. 92, introduced by Bentz, Brenner, Melcher, Michels, Thomas, Holt, Moberly, Goodwin, Nees, McGowan, Edwards, Killenbeck, Anderson, Huntly, Mathers, Thiessen, Brownfield, MacDonald, Hauk, Moritz, Breen, Cotton DeWolfe. A bill for an act entitled: "An act to amend Section 84-1817, R. C. M. 1947, which provides for distribution of State Highway Construction Funds: by providing that twenty percent (20%) of the state money available in any year within a financial district for the primary system may be transferred to the secondary system in that financial district." Referred to Committee on Highways.

Senate Bill No. 125, introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to establish a stable and uniform basis for interstate cooperation to provide a means to speed up the development and adoption of uniform standards for new or improved automotive safety equipment and to be known as the vehicle equipment safety compact; setting forth the basic purposes of the compact; defining certain terms used in the act; establishing a vehicle equipment safety commission and outlining the composition, duties and responsibilities of such commission; authorizing commission to establish salaries and retirement system for full time employees; providing that commission will have an appointed commissioner from each party state with commission business expenses to be paid by compact commission; empowering commission to carry on 'library type' research but prohibiting other type research and testing; authorizing commission to issue rules and regulations embodying performance requirements for items of equipment after conducting a needs study, publishing report of such study and holding hearings; providing that party states are not obligated to adopt rules, regulations or codes of commission but must consider them; providing that official adoption of rules, regulations or codes of the commission shall require affirmative action by the legislature of the state of Montana before such rules, regulations or codes shall be effective in Montana; requiring commission to submit to the budget director of Montana the budget of the commission, the costs of which are to be apportioned among the member states on the basis that each member state contribute equal monies for one-third (1/3) of the total commission budget and that the remainder of the budget be apportioned according to the number of motor vehicles registered in the party state; requiring that commission adopt rules and regulations to minimize conflicts of interest; authorizing commission to establish advisory and technical committees; providing for entry into and withdrawal from compact; providing for construction and severability of act; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways.

Senate Bill No. 133, introduced by Brenner, Bentz Reardon, Melcher, Mathers, Rieder, Beck, Hibbard, Hillings: A bill for an act entitled: "An act to provide for maintenance of frontage roads and amending Section 32-2002 to define 'frontage road'." Referred to Committee on Highways.

Senate Bill No. 138, introduced by Rostad, Keller, McDonnell, Nixon, Groff, Breen, Holt, Bentz, Beley, Hofferaman, Graham, Hilling: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to Section 5, Article XVI of the Constitution of Montana removing the prohibition against the County Treasurer succeeding himself in office." Referred to Committee on Township and Counties.

Senate Bill No. 176, introduced by Groff: A bill for an act entitled: "An act to establish presumptions and rules to aid in determining the resi-

dent status of students attending the University of Montana for tuition and fee purposes and providing an effective date." Referred to Committee on Education.

Senate Bill No. 179, introduced by Mahoney, Mathers, Cotton, Hafferman, Beley: A bill for an act entitled: "An act enabling the state of Montana to accept federal facilities, installations, lands or properties; providing for an effective date." Referred to Committee on State Administration.

Senate Bill No. 184, introduced by McGowan: A bill for an act entitled: "An act to amend Section 75-3612, R. C. M., 1947, relating to the expenditure of state equalization aid by school districts, to provide that the payment of the employer's tax established by the Federal Social Security Act will be made from state equalization aid moneys." Referred to Committee on Education.

Senate Bill No. 187, introduced by Reardon: A bill for an act entitled: "An act relating to occupational disease compensation act, amending Section 92-1304, Revised Codes of Montana, adding to the list of compensable diseases specified." Referred to Committee on Labor and Compensation.

Senate Bill No. 204, introduced by Melcher: A bill for an act entitled: "An act providing for continuity in the Board of Trustees when it is necessary to temporarily move the site of a school house from one common school district to another common school district within the high school district; amending Section 75-4601, R. C. M. 1947." Referred to Committee on Education.

Senate Bill No. 220, introduced by Melcher, Dussault, Brownfield, Beck, Jensen, Mathers: A bill for an act entitled: "An act to amend Section 72-123, R. C. M., 1947, to require approval of the Board of Railroad Commissioners prior to curtailment or discontinuance of freight service; providing for a hearing upon notice, introduction of the testimony, board's determination, appeal." Referred to Committee on Business and Industry.

Senate Joint Resolution No. 7, introduced by Lehrkind, Turnage, Moberly, Gerard: A joint resolution of the Senate and House of Representatives of the state of Montana directing the Unemployment Compensation Commission to investigate the Unemployment Compensation Laws of the state of Wyoming; to study the methods used by the State of Wyoming to balance its unemployment trust fund and to report to the Thirty-ninth Legislative Assembly of the State of Montana the desirability of adopting methods used by the state of Wyoming. Referred to Committee on Labor and Compensation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Jensen of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That further consideration of House Bill No. 311 be passed for the day.

That House Bill No. 400 do not pass.

That House Bill No. 324 do pass.

That House Bill No. 470 do pass.

That House Bill No. 317 do pass.

That House Bill No. 268 do pass.

That consideration of House Bill No. 40 be passed for the day.

That House Bill No. 482 do pass.

That House Bill No. 372 be amended as follows:

Amend the original bill by adding a new section to be numbered "Section 8" on page 8, being Section 8, page 9 of the printed bill, to read as follows: "Section 8. Provided, however, that nothing in this act shall be construed to grant public access to or interest in any of the waters herein described without express consent of the owner thereof."

Amend Section 8, page 8, being Section 8, page 9 of the printed bill, by striking the figure "8" and inserting in lieu thereof the figure "9".

Amend Section 9, page 8, being Section 9, page 9 of the printed bill, by striking the figure "9" and inserting in lieu thereof the figure "10"

Amend Section 10, page 8, being Section 10, page 9 of the printed bill, by striking the figure "10" and inserting in lieu thereof the figure "11"

Amend Section 11, page 8, being Section 11, page 9 of the printed bill, by striking the figure "11" and inserting in lieu thereof the figure "12"

Amend Section 12, page 8, being Section 12, page 9 of the printed bill, by striking the figure "12" and inserting in lieu thereof the figure "13"

And as amended, do pass.

That House Bill No. 227 do pass.

That House Joint Resolution No. 24 do pass.

That House Bill No. 293 do pass.

That House Bill No. 316 do pass.

That House Bill No. 175 be amended in subsection (2) of Section 3 by striking out in line 7 of the printed bill the following words and punctuation: ", or appropriated to"; strike all of Section 4 found in lines 1-5, page 2 of the printed bill; strike the figure 5 in line 1, page 2 of Sec. 5, and inserting in lieu of the figure 5 in line 1 of Section 5 of the printed bill, the figure "4".

And as so amended, do pass.

That House Bill No. 310 do pass.

That House Bill No. 280 do pass.

That House Bill No. 246 be amended in the title by striking out in line 12 of the printed bill the figures "12-1180" following the word "Sections" and inserting in lieu thereof the figures "16-1180"

And as amended, do pass.

That House Bill No. 366 do pass.

That House Bill No. 146 do pass.

That House Bill No. 333 be amended as follows:

Amend Section 1 by striking out in line 41, page 2 of the printed bill the words and figures "twenty (\$20.00) and inserting in lieu thereof the words and figures "ten (\$10.00) dollars"

Amend Section 1 by striking out in line 46, page 3 of the printed bill the words and figures "six hundred (\$600.00) dollars" and inserting in lieu thereof the words and figures "three hundred (\$300.00) dollars"

And as so amended, do pass.

That House Bill No. 362 do pass.

That House Bill No. 98 be indefinitely postponed.

That House Bill No. 423 do pass.

That House Bill No. 212 do pass.

That House Bill No. 356 do pass.

That the Committee rise and report.

JENSEN, Chairman.

Motion was made by Jensen for the adoption of the Committee of the Whole report.

Substitute motion was made by Deschamps that House Bill No. 400 be segregated from the Committee of the Whole report. Lombardi requested a roll call vote, with the results thereof spread on the Journal. The substitute motion lost by the following vote:

Ayes: Atkins, Bashor, Casey, Crum, Deschamps, Eskildsen, Falkenstern, Flynn, Gilligan, Healy, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, McDonald, Obstarczyk, O'Leary, Pierce, Raundal, Scherf, Selstad, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tracy, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 36.

Noes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Fischer, Gerke, Gilfeather, Hall, Hanks, Harper, Holtz, James, Jensen, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Prevost, Rehberg, Rygg, Sartz, Schepens, Sheehy, Smiley, Smith, Swanz, Tooke, Ulmer, Woodard. Total 49.

Absent or not voting: Gill, Jenkins, Lucas, Lund. Total 4.

Excused: Felt, Garrison, Gunderson, Haines, Schye. Total 5.

Substitute motion was made by Watt that House Bill No. 482 be segregated from the Committee of the Whole report. Substitute motion failed.

Schepens, having voted on the prevailing side, moved that the House segregate House Bill No. 317 from the Committee of the Whole report. Motion carried.

Jensen moved the adoption of the Committee report as amended. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to were disposed of in the following manner:

House Bill No. 156 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Leary, Prevost, Raun-

dal, Rehberg, Sartz, Schepens, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Willits, Woodard, Zimmer. Total 62.

Noes: Asbjornson, Boughton, Broeder, Delano, Dye, East, Falkenstern, Leuthold, Loman, Lund, Nichols, Nutting, O'Hair, Pierce, Rygg, Scherf, Selstad, Smiley, Smith, Spilde, Swanz, Ulmer, Watt, Williams, Mr. Speaker. Total 25.

Absent or not voting: Jenkins, Lucas, Total 2.

Excused: Felt, Garrison, Gunderson, Haines, Schye. Total 5.

House Bill No. 170 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Holtz, James, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranhan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Jensen, Smiley, Smith. Total 3.

Absent or not voting: Healy, Jenkins, Leuthold, Lucas. Total 4.

Excused: Felt, Garrison, Gunderson, Haines, Schye. Total 5.

House Bill No. 399 was passed by the following vote:

Ayes: Atkins, Bardanouve, Bashor, Boughton, Christiansen, Cregg, Crum, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, Lund, MacCalman, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scharf, Selstad, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 58.

Noes: Aasheim, Asbjornson, Bailey, Bollinger, Brenner, Broeder, Casey, Cerovski, Cummings, Delano, Dye, East, Falkenstern, Leuthold, Loman, Mather, McNamer, McOmber, Pierce, Rehberg, Rygg, Smiley, Smith, Spilde, Stranahan, Swanz Tooke, Williams, Woodard. Total 29.

Absent or not voting: Jenkins, Lucas. Total 2.

Excused: Felt, Garrison, Gunderson, Haines, Schye. Total 5.

House Bill No. 86 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Atkins, Stranahan, Sullivan. Total 3.

Absent or not voting: Jenkins, Lucas. Total 2.

Excused: Felt, Garrison, Gunderson, Haines, Schye, Total 5.

House Substitute for House Bill No. 339 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanoue, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 78.

Noes: Boughton, East, Mather, Selstad, Woodard. Total 5.

Absent or not voting: Dye, Jenkins, Lucas, Nichols, O'Hair, Smiley. Total 6.

Excused: Felt, Garrison, Gunderson, Haines, Schye. Total 5.

House Bill No. 483 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanoue, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Loman, Lombardi, Lund, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smily, Sullivan, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 68.

Noes: Asbjornson, Bashor, Boughton, East, James, Laas, Lewis, MacCalman, Mather, McDonald, Nutting, Pierce, Selstad, Smith, Spilde, Stranahan, Swanz, Tooke, Woodard. Total 19.

Absent or not voting: Jenkins, Lucas. Total 2.

Excused: Felt, Garrison, Gunderson, Haines, Schye. Total 5.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

February 11, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 490, 391, 462, 512, 502, 384, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 11, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 283, 345, 447, 407, 314, 506, 491, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

February 11, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 303 and House Substitute for House Bill No. 19.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 be amended as follows:

1. Amend Section 6, on page 4, lines 1 and 2 of the original bill which is Section 6, page 4, lines 5 and 6 of the printed bill by deleting the punctuation and words", and receiving grants from,".

2. Amend Section 7, on page 4, line 23 of the original bill, which is Section 7, page 5, line 10 of the printed bill, by adding after the word "council," the following material: "The board may accept and administer loans and grants from federal or private sources to carry out the purpose of this act."

3. Amend Section 28, page 12, lines 30 and 31 of the original bill, being Section 29, page 15, lines 1 and 2 of the printed bill by deleting the words and figures "Thirty-five thousand dollars (\$35,000)" and inserting in lieu thereof the following words and figures "Twelve thousand dollars (\$12,000)".

4. Amend Section 29, page 12, line 31 of the original bill which is Section 29, page 15, line 2 of the printed bill by adding after the word "appropriated" the words "to the state board of health".

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety having had under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker, We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 498, respectfully report as follows: That House Bill No. 498 do not pass.

BASHOR, Chairman.

Report adopted.

MESSAGE FROM THE SENATE

February 11, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 449, introduced by Healy, et al, was this day recommended for non-concurrence by the Senate Committee on Banking and Insurance, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Friday, February 12, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk

FORTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 12, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Jenkins, Lucas, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Thirty-ninth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 38, respectfully report as follows: That House Joint Resolution No. 38 do pass.

WATT, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 380, respectfully report as follows: That House Bill No. 380 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 do not pass.

SHEEHY, Chairman.

Motion was made by Sheehy for adoption of the Committee report.

Substitute motion was made by McNamer that House Bill No. 381 be printed and placed on Second Reading. Substitute motion was lost. Report adopted.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 92, 377, 478, 485, 493, 230, 161, 504, 467, 497, and House Substitute Bill 369, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 be amended as follows:

Page 1, line 14, of the original bill, that Section 1, shown as deleted, be stricken and in lieu thereof insert the following: "Section 1. Section 94-3601, R. C. M. 1947, is hereby amended to read as follows:"

"Section 1. [94-3601. (11134) Obscene literature not to be given to or sold by minors. (1) It is unlawful for any person to sell, lend, give away, distribute, resell, or redistribute, or to show or advertise or otherwise offer for loan, gift, or distribution, to any minor child, under the age of eighteen (18) years, any book, pamphlet, magazine, newspaper, lewd picture, story paper, so called comic book, or other printed, mimeographed or published matter, devoted to the publication or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of lust or crime, or portraying sexually the indecent conduct or subject matter, or portraying the planning or committing of deeds of crime, violence, horror, brutality, immorality or vice. It shall be unlawful to exhibit upon any street or highway, or in any place within the view of any minor child under the age of eighteen (18) years, or to hire, use, employ or permit such child to sell or give away or in any manner distribute any such book, pamphlet, magazine, lewd picture, newspaper, story paper, so called comic book or publication or other printed, mimeographed, or published matter above described.

(2) The prohibitions and penalties imposed hereby shall not extend to publications within any constitutional guarantee of freedom of the press or freedom of religious worship, nor to publications privileged for medical instruction, privileged as official law enforcement bulletins or publications, nor to publications or reproductions of bona fide works of literature and the fine arts.

(3) No person shall, as a condition to a sale or delivery for resale of any publication not above described or not within the purview of the foregoing section, require that the purchaser or consignee receive for resale or redistribution any other publication or article whatsoever within or reasonably believed by such purchaser or consignee to be within the purview of the foregoing section.]

(Material in brackets stricken.)

And further amended:

Page 2, line 18, of the original bill, strike "94-3602" and following matter already deleted.

And further amended:

Page 2, line 24, of the original bill, strike the word and figure "Section 2.", and insert in lieu thereof "94-3601. (11134) Obscene Literature (1) "Obscene" means that to the average person, applying contemporary standards, the predominant appeal of the matter, taken as a whole, is to prurient interest, i.e., a shameful or morbid interest in nudity, sex, or excretion, which goes substantially beyond customary limits of candor in description or representation of such matters. If it appears from the character of the material that the subject matter is designed for a specially susceptible audience, predominant appeal shall be judged with reference to such audience. If the subject matter is directed to minors under 18 years of age, predominant appeal shall be judged with reference to such class of minors.

"Matter" means any book, magazine, newspaper, or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription or mechanical, chemical or electrical reproduction or any other articles, equipment machines or materials.

"Person" means any individual, partnership, firm, association, corporation, or other legal entity.

"Distribute" means to transfer possession of, whether with or without consideration.

"Knowingly" means having knowledge of the character and content of the subject matter or failure to exercise reasonable inspection which would disclose the content and character of the same.

(2) It is unlawful for any person to knowingly: send or cause to be sent, or bring or cause to be brought, into this state for sale or distribution, or in this state prepare, publish, print, exhibit, distribute, or offer to distribute, any obscene matter.

(3) It is unlawful for any person to knowingly: send or cause to be sent, or exhibit or distribute or offer to distribute any obscene matter to a minor under 18 years of age, while in possession of such facts that he should reasonably know that such person is a minor under 18 years of age.

(4) It is unlawful for any person, while in possession of such facts that he should reasonably know that a person is a minor under 18 years of age, to hire, employ or use such minor to do or assist in doing any of the acts described in the foregoing paragraphs.

(5) It is unlawful for a person to write or create advertising or solicit anyone to publish such advertising or otherwise promote the sale or distribution of matter represented or held out by him to be obscene.

(6) No person shall, as a condition to a sale or delivery for resale of any publication not above described or not within the purview of the foregoing section, require that the purchaser or consignee receive for resale or redistribution any other publication or article whatsoever within or reasonably believed by such purchaser or consignee to be within the purview of the foregoing paragraph.

(7) The prohibitions and penalties imposed hereby shall not extend to publications within any constitutional guarantee of freedom of the press or freedom of religious worship, nor to publications privileged for medical instruction, privileged as official law enforcement bulletins or publications, nor to publications or reproductions of bona fide works of literature and the fine arts.

(8) In any criminal action brought under the foregoing sections, both the people and the defendant shall have the right to trial by jury on the issue of obscenity.

(9) The jury, or the court, if a jury trial is waived, shall render a general verdict, and must also render a special verdict as to whether the matter named in the charge is obscene. The special verdict or findings on the issue of obscenity may be: "We find the (title or description of matter) to be obscene." Or: "We find the (title or description of matter) not to be obscene," as they find each item is or is not obscene.

And further amend:

Page 5, following line 2 of the original bill insert the following language:

"Section 2. Section 94-3602 R. C. M. 1947, is amended to read as follows: [94-3602 (11135) Penalty. (1) Every person violating any of the provisions of the next preceding section is guilty of a misdemeanor, and provided further that upon the second and each subsequent conviction thereunder, a jail sentence is mandatory.]

(Material in brackets stricken.)

And further amend:

Page 5, line 3, of the original bill, insert the following: "94-3602. Penalty. (1) Every person who violates Section 94-3601 (2) is punishable by fine of not more than One Thousand Dollars (\$1,000.00) plus Five Dollars (\$5.00) for each additional unit of material coming within the provisions of this chapter, which is involved in the provisions of this chapter,

which is involved in the offense, not to exceed Ten Thousand Dollars (\$10,000.00), or by imprisonment for not more than Six Months plus one day for each additional unit of material coming within the provisions of this chapter, and which is involved in the offense, such basic maximum and additional days not to exceed three hundred sixty days, or by both such fine and imprisonment. If such person has previously been convicted of a violation of this section, he is punishable by fine of not more than Two Thousand Dollars (\$2,000.00) plus Five Dollars (\$5.00) for each additional unit of material coming within the provisions of this chapter, which is involved in the offense, not to exceed Twenty-Five Thousand Dollars (\$25,000.00), or by imprisonment for not more than One Year, or by both such fine and such imprisonment. If such person has been twice convicted of a violation of this chapter, a violation of this section is punishable as a felony.

(2) Every person who violates Sections 94-3601 (3) and (4) is punishable by fine of not more than Two Thousand Dollars (\$2,000.00) or by imprisonment for not more than One Year, or by both such fine and such imprisonment. If such person has been previously convicted of a violation of either of these sections he is punishable by imprisonment in the State Prison not exceeding Five Years.

(3) Every person who violates Section 94-3601 (6) is punishable by fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for not more than Six Months, or by both such fine and imprisonment. For a second and subsequent offense he shall be punished by a fine of not more than Two Thousand Dollars (\$2,000.00), or by imprisonment for not more than One Year, or by both such fine and imprisonment. If such person has been twice convicted of a violation of this chapter, a violation of this section is punishable as a felony."

And as amended, do pass.

SHEEHY, Chairman.

Motion was made by Sheehy that the House consider the amendment as having been read in full and that the report be adopted. Motion carried. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting.

Broeder of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That consideration of House Bill No. 311 be passed for the day.

That House Bill No. 317 be amended in Section 4 by striking out in lines 31 and 32, page 1 of the original bill which is section 4, lines 2 and 3, page 2 of the printed bill the words "from the 5th day of June of one year to the 31st day of May", and inserting in lieu thereof the words "from fifteen (15) days after the due date for personal property taxes of one year to the due date for personal property taxes".

And as so amended, do pass.

That further consideration of House Bill No. 40 be passed for this sitting.

That House Bill No. 258 do pass.

That House Bill No. 56 do pass.

That House Bill No. 259 do pass.

That House Bill No. 24 be amended as follows.

Amend Section 2, by striking out in line 6, page 2 of the printed bill, subparagraph 2, after the word "town" strike the period "." and inserting a comma "(",) and the words "of the first, second and third class" and a period "(".)

And further amend Section 2, of the printed bill, subparagraph 3 on line 7, after the word bureaus by striking out the comma "(",) and inserting in lieu a period "(".) and strike out on line 8 of section 2, subparagraph 3, the words "departments and committees" and the period "(".)

Amend Section 7, page 4 of the printed bill beginning on line 5 after the word "than" by striking out the words "one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00)" and inserting in lieu thereof the words: "fifty dollars (\$50.00) nor more than two-hundred dollars (\$200.00)"

And further amend Section 7, page 4 of the printed bill beginning on line 10 after the word "than" by striking out the words "one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00)" and inserting in lieu thereof the words: "fifty dollars (\$50.00) nor more than two-hundred dollars (\$200.00)"

And as amended, do pass.

That House Bill No. 256 do pass.

That House Bill No. 355 do pass.

That House Bill No. 421 be placed at the end of the list.

That House Bill No. 489 do pass.

That the Committee rise and report.

BROEDER, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 94 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Slaby, Smith, Spilde, Stranahan, Sullivan, Twedt, Ulmer, Watt, Williams, Willits, Woodward, Zimmer, Mr. Speaker. Total 75.

Noes: Boughton, Casey, Delano, Harper, Lombardi, Lund, Nefzger, Rygg, Shugrue, Smiley, Tooke, Tracy, Total 12.

Absent or not voting: Fischer, Gill, Holtz, Sheehy, Swanz. Total 5.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 94, introduced by McNamer, Bashor: A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO SECTION 2, ARTICLE IX OF THE CONSTITUTION OF MONTANA EXCEPTING PERSONS VOTING FOR PRESIDENT AND VICE-PRESIDENT FROM

THE ONE YEAR RESIDENCY REQUIREMENT AND PROVIDING THAT RESIDENCY FOR SUCH ELECTIONS MAY BE PRESCRIBED BY LAW."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 2, Article IX of the Constitution of the State of Montana is amended to read as follows:

"Section 2. Every person of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all general elections and for all officers that now are, or hereafter may be, elective by the people, and, except as hereinafter provided, upon all questions which may be submitted to the vote of the people or electors: First, he shall be a citizen of the United States; second, he shall have resided in this state one year immediately preceding the election at which he offers to vote, and in the town, county or precinct such time as may be prescribed by law; except that the period of residency within the state of persons offering to vote in a presidential election for presidential and vice-presidential electors shall be such time as may be prescribed by law. If the question submitted concerns the creation of any levy, debt or liability the person, in addition to possessing the qualifications above mentioned, must also be a taxpayer whose name appears upon the last preceding completed assessment roll, in order to entitle him to vote upon such question. Provided, first, that no person convicted of felony shall have the right to vote unless he has been pardoned or restored to citizenship by the governor: provided, second, that nothing herein contained shall be construed to deprive any person of the right to vote who has such right at the time of the adoption of this constitution; provided, that after expiration of five years from the time of adoption of this constitution, no person except citizens of the United States shall have the right to vote."

Section 2. When this amendment is submitted to the electors of the State of Montana there shall be printed on the ballot the full title and Section 1 of this act and the following words:

☐ For the above amendment.

☐ Against the above amendment."

House Bill No. 348 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hanks, Harper, Healy, James, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Aasheim, Boughton, Hall, Leuthold, Mather, Obstarczyk, O'Hair, Smiley, Williams. Total 9.

Absent or not voting: Gerke, Holtz, Swanz. Total 3.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 263 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Christiansen, Crum, Delano, Dye, East, Egan, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hanks, James, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage,

Nelson, Nichols, Nutting, Obstarczyk, Pierce, Raundal, Rehberg, Rygg, Scherf, Schye, Selstad, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 64.

Noes: Aasheim, Brenner, Cerovski, Cregg, Cummings, Deschamps, Eklund, Eskildsen, Gunderson, Hall, Harper, Healy, Leuthold, Lombardi, McDonald, Nefzger, O'Hair, O'Leary, Prevost, Sartz, Schepens, Sheehy, Shugrue, Stranahan, Tracy, Twedt, Williams. Total 27.

Absent or not voting: Holtz. Total 1.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 55 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, James, Jensen, Johnson, Judge, Laas, Lombardi, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 79.

Noes: Boughton, Dye, Leuthold, Lewis, Loman, MacCalman, Mather, Nichols, Nutting, Smiley, Smith, Williams. Total 12.

Absent or not voting: Holtz. Total 1.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 55, introduced by Aasheim, Raundal, Lucas, Twedt: A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE ELECTORS OF MONTANA AN AMENDMENT TO SECTION 9, ARTICLE XIX OF THE CONSTITUTION OF MONTANA TO PERMIT NOT MORE THAN SEVEN CONSTITUTIONAL AMENDMENTS TO BE SUBMITTED AT THE SAME ELECTION."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1: Article XIX, Section 9 of the Montana Constitution is amended to read as follows:

"Section 9. Amendments to this constitution may be proposed in either house of the legislative assembly, and if the same shall be voted for by two-thirds of the members elected to each house, such proposed amendments, together with the ayes and nays of each house thereon, shall be entered in full on their respective journals; and the Secretary of State shall cause the said amendment or amendments to be published in full in at least one newspaper in each county (if such there be) for three months previous to the next general election for members to the legislative assembly; and at said election the said amendment or amendments shall be submitted to the qualified electors of the state for their approval or rejection and such as are approved by a majority of those voting thereon shall become part of the constitution. Should more amendments than one be submitted at the same election, they shall be so prepared and distinguished by numbers or otherwise that each can be voted upon separately; provided, however, that not more than [three] seven amendments to this constitution shall be submitted at the same election."

Section 2. When this amendment is submitted to the electors of the state there shall be printed on the ballot the title and Section 1 of this act and the following words:

☐ For the above amendment

☐ Against the above amendment."

(Matter in brackets stricken.)

House Bill No. 217 was passed by the following vote:

Ayes: Aasheim, Atkins, Bashor, Brenner, Cregg, Crum, Egan, Eskildsen, Felt, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, O'Hair, O'Leary, Pierce, Scherf, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Willits, Woodard, Zimmer, Mr. Speaker. Total 50.

Noes: Asbjornson, Bailey, Bardanouve, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Deschamps, Dye, East, Eklund, Falkenstern, Flynn, Garrison, Haines, Leuthold, Loman, Lund, Mather, McNamer, Nichols, Nutting, Obstarczyk, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Watt, Williams. Total 42.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 450 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lund, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherg, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 76.

Noes: Boughton, Deschamps, Dye, Eskildsen, Gunderson, Leuthold, MacCalman, McNamer, McOmber, O'Hair, Rehberg, Stranahan, Williams, Woodard. Total 14.

Absent or not voting: Obstarczyk, Smith. Total 2.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 480 was passed by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Eklund, Eskildsen, Fischer, Flynn, Gilfeather, Gilligan, Gunderson, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 50.

Noes: Asbjornson, Bailey, Bollinger, Boughton, Broeder, Casey, Cregg, Crum, Delano, Dye, East, Egan, Falkenstern, Felt, Garrison, Gerke, Gill, Haines, Hall, James, Jensen, Loman, MacCalman, Mather, McDonald, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Woodard, Total 42.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 344 failed to pass by the following vote:

Ayes: Atkins, Bailey, Bardanouve, Bollinger, Casey, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, Johnson, Laas, Lewis, Lombardi, Lund, MacCalman, McDonald, McNamara, Mec-

cage, Nefzger, Obstarczyk, O'Hair, Slaby, Sullivan, Tracy, Twedt, Williams, Willits, Zimmer, Mr. Speaker. Total 43.

Noes: Aasheim, Asbjornson, Bashor, Boughton, Brenner, Broeder, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Gunderson, Haines, James, Jensen, Judge, Leuthold, Loman, Mather, McNamer, McOmber, Nelson, Nichols, Nutting, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Watt, Woodard. Total 49.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 485 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gilfeather, Gill, Haines, Hanks, Healy, James, Jensen, Johnson, Judge, Leuthold, Lund, MacCalman, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 71.

Noes: Aasheim, Broeder, Cregg, Deschamps, Flynn, Gerke, Gilligan, Gunderson, Hall, Harper, Holtz, Laas, Lewis, Loman, Lombardi, Mather, McDonald, Nefzger, Pierce, Shugrue, Willits. Total 21.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 376 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 85.

Noes: Asbjornson, Deschamps, Falkenstern, Smith, Spilde, Woodard. Total 6.

Absent or not voting: James. Total 1.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 459 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 70.

Noes: Asbjornson, Boughton, Broeder, Delano, Deschamps, Dye, East, Falkenstern, Garrison, Jensen, Leuthold, MacCalman, Mather, Nutting, Rygg, Selstad, Smiley, Smith, Spilde, Stranahan, Williams. Total 21.

Absent or not voting: Egan. Total 1.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 243 was passed by the following vote:

Ayes: Atkins, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Laas, Leuthold, Lewis, Lombardi, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Woodard, Zimmer. Total 61.

Noes: Aasheim, Asbjornson, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, James, Jensen, Judge, Loman, Lund, MacCalman, McNamer, Nutting, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Total 28.

Absent or not voting: Bashor, Williams, Mr. Speaker. Total 3.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 306 was passed by the following vote:

Ayes: Atkins, Bashor, Broeder, Casey, Cregg, Crum, Delano, Deschamps, Dye, East, Eskildsen, Felt, Fischer, Garrison, Gill, Healy, James, Jensen, Judge, Laas, Lewis, Loman, Lombardi, Lund, McDonald, McNamara, Meccage, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Rehberg, Rygg, Schye, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Woodard, Zimmer, Mr. Speaker. Total 47.

Noes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Cerovski, Christiansen, Cummings, Egan, Eklund, Falkenstern, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Holtz, Johnson, Leuthold, MacCalman, Mather, McNamer, McOmber, Nefzger, Nelson, O'Hair, Prevost, Raundal, Sartz, Schepens, Scherf, Selstad, Slaby, Twedt, Ulmer, Watt, Willits. Total 42.

Absent or not voting: Harper, Smiley, Williams. Total 3.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 242 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Christiansen, Cregg, Cummings, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Hall, Hanks, Healy, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 62.

Noes: Aasheim, Boughton, Cerovski, Crum, Delano, Dye, Felt, Fischer, Gunderson, Haines, Harper, Holtz, James, Jensen, Johnson, Loman, MacCalman, Mather, Nutting, Obstarczyk, Pierce, Rehberg, Schepens, Schye, Selstad, Smiley, Smith, Spilde, Williams, Woodard. Total 30.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 84 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bollinger, Broeder, Casey, Christiansen, Cummings, Delano, Deschamps, Dye, Egan, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Judge, Laas, Leuthold, Lewis, Lombardi, MacCalman, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rygg, Schepens, Scherf, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 56.

Noes: Atkins, Bardanouve, Bashor, Boughton, Brenner, Cerovski, Cregg, Crum, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, James, Jensen, Johnson, Loman, Lund, Mather, McOmber, Pierce, Raundal, Rehberg, Sartz, Schye, Selstad, Smiley, Smith, Sullivan, Swanz, Tooke, Williams, Woodard. Total 34.

Paired: Lucas, no; McNamer, yes. Total 2.

Absent or not voting: Garrison. Total 1.

Excused: Jenkins. Total 1.

House Joint Resolution No. 9 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

House Joint Resolution No. 21 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: Broeder, Harper, Jensen. Total 3.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 445 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg,

Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Gill, O'Hair. Total 2.

Excused: Jenkins, Lucas. Total 2.

House Substitute for House Bill No. 19 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

House Bill No. 303 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Loman, Smiley, Smith, Stranahan, Ulmer. Total 5.

Absent or not voting: None.

Excused: Jenkins, Lucas. Total 2.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 239, 452, 469, House Joint Resolution 38, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

February 2, 1965

The Honorable Speaker
Montana House of Representatives
Capitol Building
Helena, Montana

Dear Mr. Speaker:

I have the honor to transmit herewith a certified copy of Senate Joint Memorial No. 3, passed by the Thirty-eighth Session of the Legislature of the State of Idaho.

Very truly yours,

ARNOLD WILLIAMS
Secretary of State

Senate Joint Memorial No. 3, enacted by the Thirty-eighth Session of the Legislature of the State of Idaho, by Public Resources and Public Recreation Committee: A JOINT MEMORIAL TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, THE HONORABLE PRESIDENT OF THE UNITED STATES, THE HONORABLE SECRETARY OF COMMERCE OF THE UNITED STATES AND TO THE HONORABLE CHAIRMAN OF THE INTERSTATE COMMERCE COMMISSION OF THE UNITED STATES.

We, your Memorialists, the members of the Senate and House of Representatives of the Legislature of the State of Idaho, assembled in the Thirty-eighth Session thereof, do respectfully represent that:

WHEREAS, it is reported that railroad and trucking freight rates, relating to interstate shipment and transporting of foodstuffs, raw materials, farm produce, farm equipment and implements, vehicles and all other consumer items, in the northwestern states of Idaho, Montana and Washington are 100% to 150% greater than related freight rates in the remaining several states of the United States; and

WHEREAS, the higher freight rates are inequitable in relation to the current rates in the remaining several states and work a great and unnecessary hardship upon the farmer, retail merchant, producers, consumers and general citizenry of the State of Idaho; and

WHEREAS, the President of the United States, the United States Department of Commerce and the Interstate Commerce Commission should institute an orderly and exhaustive investigation into any inequities existing between the freight rates touching the states of Idaho, Montana and Washington, as related to the remaining several states, that subsequent legislation, implementing their findings and removing from the citizenry of the states of Idaho, Montana and Washington the economic hardships now existing as a direct result of the higher and unnecessary freight rates, be proposed in the Congress of the United States.

NOW, THEREFORE, BE IT RESOLVED by the Thirty-eighth Session of the Legislature of the State of Idaho, now in session, the Senate and House of Representatives concurring, that the Congress and the President of the United States, the Secretary of the Department of Commerce of the

United States and the Chairman of the Interstate Commerce Commission be respectfully petitioned to give early consideration to the investigation of existing inequities of freight rates in the northwestern states of Idaho, Montana and Washington.

BE IT FURTHER RESOLVED, that the Secretary of State of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this Memorial to the Senate and House of Representatives of the United States of America, the President of the United States, the Secretary of Department of Commerce and Chairman of the Interstate Commerce Commission and to the Senators and Representatives in Congress from this state.

BE IT FURTHER RESOLVED, that the Secretary of State of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this Memorial to the Speaker of the House and to the President of the Senate of the State of Washington and the State of Montana, and that these states are hereby urged to take similar action in their respective legislative bodies.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 56.

HARPER, Chairman.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 333.

HARPER, Chairman.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 372, 423, 470, 366, 246, 268, 212, 482, 280, 146, 293, 362, 324, 310, 227, 356, 316, 175, and House Joint Resolution No. 24.

HARPER, Chairman.

MESSAGES FROM THE SENATE

February 12, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 449, introduced by Healy, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 12, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 13, introduced by Harper, et al., was this day recommended for non-concurrence by the Senate Committee on Judiciary, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 12, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 107, introduced by Gerard, et al.

Senate Bill No. 139, introduced by Reardon.

Senate Bill No. 185, introduced by Melcher and Cotton.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Healy that the House return House Bill No. 449 to the Senate for further consideration. Motion carried.

Motion was made by Leuthold that the House reconsider its action in adopting an adverse committee report on House Bill No. 381, that a roll call vote be taken, with the results thereof spread on the Journal. Motion was lost by the following vote:

Ayes: Asbjornson, Bardanouve, Boughton, Broeder, Casey, Cregg, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, James, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 37.

Noes: Aasheim, Atkins, Bailey, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 49.

Absent or not voting: Gill, Haines, Raundal, Smith, Mr. Speaker. Total 5.

Excused: Fischer, Jenkins, Johnson. Total 3.

Motion was made by Cerovski that the House give unanimous consent to a temporary suspension of Rules No. 623 and 632 through Sunday, February 14, 1965. Motion carried.

Motion was made by Cerovski that House Bills Nos. 448, 447, 332, 512, 502 be passed for the day, and placed at the head of the list for tomorrow's sitting. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following Senate Bills were introduced, read first time, and referred to committees:

Senate Bill No. 107, introduced by Gerard, Balgord, Hibbard: A bill for an act entitled: "An act to amend Sections 89-301, 89-302, 89-303, 89-304, 89-305, 89-306, 89-307, 89-308, and 89-309, R. C. M. 1947; to change the designation of the State Planning Board to the Montana Development Commission; to provide that the Montana Development Commission shall be appointed by the Governor; to prescribe the term of office, compensa-

tion, purpose and duties of the Montana Development Commission; to provide that the records, books, funds and materials of the State Water Conservation Commission concerning the State Planning Board shall be transferred to the Montana Development Commission and to provide that the Montana Development Commission shall assume all of the duties and obligations held by the State Planning Board, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Business and Industry.

Senate Bill No. 139, introduced by Reardon: A bill for an act entitled: "An act to amend Section 66-2405, Revised Codes of Montana, 1947, by increasing examination fees and renewal fees for state master and journeyman plumbers licenses." Referred to Committee on Labor and Compensation.

Senate Bill No. 185, introduced by Melcher, Cotton: A bill for an act entitled: "An act to amend Section 75-3407, R. C. M. 1947, to increase the schedule of rates to be paid by school boards of trustees to parents or guardians of children eligible for transportation to and from school in lieu of furnishing bus transportation; to increase the maximum that may be paid in situations where the schedule of rates may be altered due to isolation which subjects parents or guardians to extraordinary financial or physical hardship; and providing an effective date." Referred to Committee on Education.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 56 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 57.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Delano, Dye, East, Falkenstern, Felt, Garrison, James, Jensen, Loman, Lucas, MacCalman, Mather, Nutting, O'Leary, Rehberg, Rygg, Schye, Selstad, Smiley, Swanz, Tooke, Ulmer, Woodard. Total 28.

Absent or not voting: Crum, Gill, McNamer, Pierce, Smith, Spilde. Total 6.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 333 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Broeder, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, McDonald, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Williams, Zimmer. Total 57.

Noes: Asbjornson, Boughton, Casey, Cregg, Delano, Dye, East, Falkenstern, Felt, Garrison, Haines, James, Lucas, MacCalman, Mather, McNamara, McNamer, Nichols, Nutting, Rehberg, Schye, Selstad, Smiley, Swanz, Ulmer, Willits, Woodard, Mr. Speaker. Total 28.

Absent or not voting: Bashor, Crum, Gill, Pierce, Smith, Spilde. Total 6.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 372 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Christiansen, Delano, Deschamps, Dye, East, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McNamer, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Raundal, Rehberg, Rygg, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 72.

Noes: Asbjornson, Cerovski, Cregg, Cummings, Egan, Eklund, Mather, McDonald, O'Hair, Prevost, Sart, Schepens, Stranahan, Sullivan. Total 14.

Absent or not voting: Crum, Gill, Pierce, Smith, Spilde. Total 5.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 423 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 77.

Noes: Aasheim, Bardanouve, Brenner, Lewis, McOmber, Nefzger, Raundal, Williams. Total 8.

Absent or not voting: Crum, Eskildsen, Felt, Gill, Scherf, Smith. Total 6.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 470 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Bardanouve. Total 1.

Absent or not voting: Bailey, Boughton, Gill, Smith. Total 4.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 366 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Falkenstern, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 72.

Noes: Bollinger, Cregg, Egan, Eskildsen, Felt, Lombardi, Lucas, O'Leary, Prevost, Shugrue, Slaby, Tracy, Twedt, Ulmer, Williams. Total 15.

Absent or not voting: Bardanouve, Gill, Scherf, Smith. Total 4.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 246 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eskildsen, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 74.

Noes: Asbjornson, Bardanouve, Egan, Eklund, Falkenstern, Laas, Lewis, McNamer, Nefzger, Nutting, Prevost, Raundal, Schye, Spilde, Stranahan. Total 15.

Absent or not voting: Gill, Smith. Total 2.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 268 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Raundal, Rehberg, Sartz, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 79.

Noes: Aasheim, Brenner, Broeder, Eklund, MacCalman, McOmber, O'Hair, Prevost, Rygg, Schepens. Total 10.

Absent or not voting: Gill, Smith. Total 2.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 212 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen,

Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Gill, Smith. Total 2.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 482 was passed by the following vote:

Ayes: Aasheim, Atkins, Bashor, Boughton, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Deschamps, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Garrison, Hanks, Harper, Healy, James, Jensen, Judge, Laas, Lewis, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Schepens, Schye, Sheehy, Shugrue, Spilde, Stranahan, Sullivan, Tooke, Tracy, Ulmer, Williams, Woodard, Mr. Speaker. Total 58.

Noes: Asbjornson, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Delano, Eklund, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Holtz, Leuthold, Loman, Lund, McOmber, Rygg, Sartz, Scherf, Selstad, Slaby, Smiley, Twedt, Watt, Willits, Zimmer. Total 30.

Absent or not voting: Gill, Smith, Swanz. Total 3.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 280 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Felt, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 58.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Dye, East, Falkenstern, Garrison, Haines, James, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, Nelson, Nutting, Rehberg, Rygg, Schye, Selstad, Smiley, Spilde, Stranahan, Swanz, Ulmer, Williams, Woodard. Total 30.

Absent or not voting: Gill, Sartz, Smith. Total 3.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 146 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Falkenstern, Felt, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Rehberg, Rygg, Schye, Smiley, Spilde, Stranahan, Swanz, Tooke, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 66.

Noes: Bardanouve, Cregg, Egan, Eskildsen, Flynn, Hall, Hanks, Lombardi, McOmber, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Zimmer. Total 23.

Absent or not voting: Gill, Smith. Total 2.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 293 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Cregg, Crum, Cummings, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Bollinger, Cerovski, Christiansen, Delano, Flynn, Jensen, Pierce, Schepens, Smiley. Total 9.

Absent or not voting: Gill, Smith. Total 2.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 362 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 83.

Noes: Bollinger, Boughton, Falkenstern, MacCalman, Woodard. Total 5.

Absent or not voting: Gill, Smiley, Smith. Total 3.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 324 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Felt, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Lewis, Lombardi, Lucas, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 66.

Noes: Asbjornson, Boughton, Crum, Dye, East, Falkenstern, Garrison, Leuthold, Loman, Lund, Mather, Nelson, Rygg, Schye, Selstad, Smiley, Spilde, Swanz, Ulmer, Williams, Woodard. Total 21.

Absent or not voting: Bashor, Gill, Smith, Zimmer. Total 4.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 310 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 51.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, Haines, James, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 37.

Absent or not voting: Bardanouve, Gill, Smith. Total 3.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 227 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Boughton, Williams. Total 2.

Absent or not voting: Gill, Sartz, Smith. Total 3.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 356 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bardanouve, Bashor, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Felt, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 68.

Noes: Bailey, Bollinger, Boughton, East, Falkenstern, Garrison, James, Laas, Leuthold, Lewis, Nelson, Nichols, Pierce, Raundal, Schye, Selstad, Spilde, Swanz, Tooke, Williams, Woodard. Total 21.

Absent or not voting: Gill, Smith. Total 2.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 316 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Eklund, Felt, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Loman, Lom-

bardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 67.

Noes: Asbjornson, Boughton, Broeder, Crum, Delano, Dye, East, Egan, Eskildsen, Falkenstern, Garrison, Lewis, Mather, Nelson, Nichols, Nutting, Rygg, Schye, Selstad, Smiley, Spilde, Zimmer. Total 22.

Absent or not voting: Gill, Smith. Total 2.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Bill No. 175 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Garrison, Gerke, Gilfeather, Gilligan, Haines, Healy, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Slaby, Smiley, Spilde, Stranahan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 67.

Noes: Aasheim, Atkins, Brenner, Cerovski, Deschamps, Egan, Flynn, Gunderson, Hall, Hanks, Harper, Holtz, Lombardi, Nefzger, O'Leary, Scherf, Sheehy, Shugrue, Sullivan, Tracy, Willits. Total 21.

Absent or not voting: Gill, Nichols, Smith. Total 3.

Excused: Fischer, Jenkins, Johnson. Total 3.

House Joint Resolution No. 24 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Cregg, Hanks, Jensen, Lombardi, Shugrue. Total 5.

Absent or not voting: Gill, Smith. Total 2.

Excused: Fischer, Jenkins, Johnson. Total 3.

Motion was made by Cerovski that the House revert to Order of Business No. 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Eskildsen that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting.

Broeder of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration of business under Second Reading, recommend the following:

That House Bill No. 484 be passed for the day.

That House Bill No. 40 do pass.

That House Bill No. 300 do pass.

That House Bill No. 301 do pass.

That consideration of House Bill No. 359 be passed for the day.

That House Bill No. 517 do pass.

That House Bill No. 72 do pass.

That consideration of House Bill No. 82 be passed for the day.

That House Bill No. 347 do pass.

Mr. Speaker in the Chair for consideration of House Bill No. 169.

That House Bill No. 169 do pass.

Broeder returned to the Chair.

That House Bill No. 505 be amended as follows:

Amend Section 1 by striking out in line 5 the words "two and one-half percent (2½%)" and inserting in lieu thereof the words "four percent (4%)".

Amend Section 1 by striking out in line 9 the words "Five and one-half percent (5½%)" and inserting in lieu thereof the words "four percent (4%)".

And further amend Section 1 on line 15, page 1 of the printed bill after the word "honorarium" by adding the words "This amendment to Section 84-5608 shall be in effect until June 30, 1967".

And as so amended, do pass.

That House Bill No. 503 be amended as follows:

By adding after Section 5 the following section:

"Section 6. If less than one hundred cases of a brand or label are purchased by the Liquor Control Board in one year, the registrant or registrants selling those cases to the Liquor Control Board may apply to the State Board of Equalization for a registration and license fee refund. The refund will be paid out of the Board of Equalization suspense account."

And as so amended, do pass.

That House Bill No. 405 be passed for the day.

That the committee rise and report.

BROEDER, Chairman.

Motion was made by Broeder for the adoption of the committee report.

Substitute motion was made by Rehberg that House Bill No. 505 be segregated from the Committee of the Whole report. Motion failed. Report adopted.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 220, 440, 479, 189, 199, 433, 204, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 461, 495, House Bill Substitute for House Bill No. 496, House Bill No. 307, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 489, 355, 317, 256.

HARPER, Chairman.

February 12, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 24, 40, 258, 259, 300, 301.

HARPER, Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Saturday, February 13, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FORTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 13, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Jenkins, Rygg, Schye, Woodard, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fortieth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 413, respectfully report as follows: That House Bill No. 413 do not pass.

LAAS, Chairman.

Motion was made by Laas that the report be adopted.

Substitute motion was made by Tracy that House Bill No. 413 be printed and placed on Second Reading. Substitute motion lost. Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412 do not pass.

LAAS, Chairman.

Report adopted.

February 13, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 238, 326, 188, 312, 278, beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Mr. Speaker: We, the majority of your Committee on Labor and Compensation, having had under consideration House Bill No. 474, respectfully report as follows: That House Bill No. 474 do pass as amended.

LOMBARDI, Chairman,
JOHNSON,
SLABY,
ATKINS,
GERKE,
SHUGRUE,
O'LEARY,
GILLIGAN.

Motion was made by Lombardi for the adoption of the majority report.

Mr. Speaker: We, the minority of your Committee on Labor and Compensation, having had under consideration House Bill No. 474, respectfully report as follows: That House Bill No. 474 be amended as follows:

1. By deleting the figure "899.99" in line 11, page 3, and inserting in lieu thereof the figure "884.99" and by deleting all figures appearing after said line 11, page 3, to, but not including, line 14 on page 3, and inserting in lieu thereof the following figures:

"885.00	914.99	35.00	1,327.50	455.00	700.00	910.00
915.00	944.99	36.00	1,372.50	468.00	720.00	936.00
945.00	974.99	37.00	1,417.50	481.00	740.00	962.00
975.00	1,004.99	38.00	1,462.50	494.00	760.00	988.00
1,005.00	1,034.99	39.00	1,507.50	507.00	780.00	1,014.00
1,035.00	or more	40.00	1,552.50	520.00	800.00	1,040.00"

2. Section 1, subsection (c), line 21, page 3 after word "of" strike "twelve hundred eighty-two dollars and fifty cents (\$1282.50)" and add in lieu thereof "fifteen hundred fifty-two dollars and fifty cents (\$1552.50)."

3. By deleting in its entirety, Section 2, being lines 10 through 27, inclusive, on page 4, and lines 1 through 4, inclusive, on page 5, and renumbering the subsequent sections accordingly.

4. By deleting in line 5, page 5, following the word "Section" the numeral "3" and inserting in lieu thereof the numeral "2."

5. By deleting the word "date" in line 13, page 7, and striking through the remaining language in lines 11 through 15, inclusive, on page 7, and inserting in lieu thereof:

"(1) Each employer who has paid contributions for less than five (5) years prior to the computation date shall pay contributions at the rate of two and seven-tenths (2.7) per centum until completion of such five (5) year period, except that if after the first two (2) years it is determined that benefit payments charged to such employer's account during such two (2) year period and prior to the computation date, exceeded the amount of his contributions for those years, then his contribution rate shall increase to three and one-half (3.5) per centum for the balance of the five (5) year period, unless he makes a voluntary contribution as provided in Section 87-109 (c) (4). Such voluntary contribution must be applied first to the earliest of the five (5) years and then to subsequent years in the order provided in Section 87-109 (c) (4)."

6. By inserting in line 3, page 8, between the words "per centum" and "and" words and figures as follows: "and two and nine-tenth (2.9) per centum, and three and one-tenth (3.1) per centum, and three and three-tenths (3.3) per centum".

7. By deleting lines 11 and 12 on page 11, and inserting in lieu thereof the following language:

"Section 3. Sections 1 and 2 of this act shall be in full force and effect on and after April 4, 1965, and Sections 1 and 2 shall apply to all benefit years beginning on and after April 4, 1965, and the insured status of all claimants who have a benefit year current on or after April 4, 1965, shall be redetermined and benefits shall be paid in accordance with this provision, provided that no insured worker shall have his benefits reduced or denied by redetermination resulting from the application of this provision."

8. By adding as Section 4 a severability clause in words as follows:

"Section 4. If any clause, sentence, section, paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, section, paragraph or part directed adjudged to be invalid or inoperative."

9. By adding as Section 5 a repealer clause in words as follows:

"Section 5. All acts or parts of acts in conflict herewith are hereby repealed."

EAST,
CASEY,
MATHER,
BOUGHTON,
DELANO,
MacCALMAN.

Substitute motion was made by Mather that the minority report be adopted.

Substitute motion was made by Cеровski that House Bill No. 474 be printed and placed on Second Reading in its original form. Eskildsen moved the previous question. Motion carried. Substitute motion that House Bill No. 474 be printed and placed on Second Reading carried.

MESSAGE FROM THE GOVERNOR

February 12, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 89—Introduced by Pierce, Christiansen.

House Bill No. 97—Introduced by Judge and Loman.

House Bill No. 111—Introduced by Healy, Crum, Smiley, Lombardi, Tracy Shugrue and McNamara.

House Bill No. 132—Introduced by Haines.

House Bill No. 144—Introduced by Schepens, Meccage, Gerke, Jensen.

House Bill No. 281—Introduced by Gerke.

House Joint Resolution No. 13—Introduced by Boughton, Smith, Garrison, et al.

House Joint Resolution No. 14—Introduced by Williams, James, Nutting, Eskildsen, et al.

Sincerely yours,

TIM BABCOCK, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House be on Order of Business No. 9. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 489 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Bardanouve, Egan, Obstarczyk, Raundal, Sheehy, Willits. Total 6.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 355 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Eklund, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Scherf, Selstad, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Mr. Speaker. Total 79.

Noes: Deschamps, Flynn, Harper, Nefzger, Shugrue. Total 5.

Absent or not voting: Egan, Eskildsen, Raundal, Sheehy, Willits, Zimmer. Total 6.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 317 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Fal-

kenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Scherf, Selstad, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 84.

Noes: Garrison, Shugrue, Smith. Total 3.

Absent or not voting: Egan, Raundal, Sheehy. Total 3.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 256 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Egan, Sheehy. Total 2.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 24 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 60.

Noes: Asbjornson, Boughton, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, Haines, James, Jensen, Lucas, Lund, MacCalman, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams. Total 30.

Absent or not voting: None.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 40 failed to pass by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Dye, East, Egan, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilligan, Gunderson, Haines, Hall, Hanks, Holtz, James, Jensen, Judge, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Watt, Mr. Speaker. Total 59.

Noes: Aasheim, Bardanouve, Brenner, Cummings, Deschamps, Eklund, Eskildsen, Flynn, Gilfeather, Gill, Harper, Healy, Johnson, Laas, Lewis, Lombardi, McNamara, Nefzger, O'Hair, Raundal, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Willits. Total 29.

Absent or not voting: Williams, Zimmer. Total 2.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 40, introduced by Lucas, Felt, Bollinger, Fischer: A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF THE STATE OF MONTANA AN AMENDMENT TO SECTION 2 OF ARTICLE VII OF THE CONSTITUTION OF THE STATE OF MONTANA, RELATING TO THE ELECTION OF THE OFFICERS OF THE EXECUTIVE DEPARTMENT OF THE GOVERNMENT OF THE STATE OF MONTANA AND PROVIDING THAT THE CANDIDATES FOR GOVERNOR AND LIEUTENANT GOVERNOR OF EACH POLITICAL PARTY SHALL BE ARRANGED ON THE BALLOT SO THAT THE ELECTORS MUST VOTE FOR THE GOVERNOR AND LIEUTENANT-GOVERNOR AS A UNIT AND MAY NOT VOTE FOR THE GOVERNOR OR LIEUTENANT-GOVERNOR SEPARATELY."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That the Constitution of the State of Montana be amended as hereinafter provided and that the question of such amendment be submitted to the qualified electors of the State of Montana for their approval or rejection at the general election to be held in November, 1966.

Section 2. That Section 2 of Article VII of the Constitution of the State of Montana be and the same is hereby amended to read as follows:

"Section 2. The officers provided for in Section 1 of this article, shall be elected by the qualified electors of the state at the time and place of voting for members of the Legislative Assembly, and the persons respectively, having the highest number of votes for the office voted for shall be elected; provided, however, that names of the candidates for governor and lieutenant-governor of each political party shall be so arranged on the ballot that the electors must vote for the Governor and Lieutenant-Governor as a unit and may not vote for the Governor or Lieutenant-Governor separately [but] if two or more shall have an equal and the highest number of votes for any one of said offices the two houses of the Legislative Assembly, at its next regular session, shall forthwith by joint ballot, elect one of such persons for said office, provided that the Governor and Lieutenant-Governor thus elected by the two houses of the Legislative Assembly shall be of the same political party. The returns of election for the officers named in Section 1 shall be made in such manner as may be prescribed by law, and all contested elections of the same, other than provided for in this section, shall be determined as may be prescribed by law."

Section 3. Separate official ballots shall be provided at the general election to be held in November, 1966, which shall have printed thereon, "Constitutional Amendment to provide that the Governor and Lieutenant-Governor shall be of the same political party," followed by all of Section 2 of Article VII of the Constitution of the State of Montana as proposed by this act. There shall also be printed on said official ballot, below the said section, squares and the words as follows:

- ☐ For the foregoing Amendment to the Constitution.
- ☐ Against the foregoing Amendment to the Constitution.

Each elector who approves this amendment shall mark an "X" in the first square above printed and each elector who rejects it shall mark an "X" in the second square.

Section 4. The votes cast for and against this amendment above proposed, shall be counted, canvassed and determined by such officials, and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the Governor of the state shall so declare by public proclamation and the amendment shall be in full force and effect as a part of the Constitution from and after the date of such proclamation.

House Bill No. 258 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 83.

Noes: East, Garrison, Ulmer, Williams. Total 4.

Absent or not voting: Cerovski, Nichols, Schepens. Total 3.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 259 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 80.

Noes: East, Felt, Garrison, James, Lucas, Pierce, Rehberg, Ulmer, Williams. Total 9.

Absent or not voting: Nichols. Total 1.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 300 was passed by the following vote:

Ayes: Aasheim, Atkins, Bashor, Boughton, Brenner, Cerovski, Christiansen, Cregg, Delano, Deschamps, Dye, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jensen, Judge, Laas, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamer, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 58.

Noes: Asbjornson, Bailey, Bardanouve, Bollinger, Broeder, Casey, Crum, Cummings, East, Egan, Eklund, Falkenstern, Felt, Fischer, Harper, Johnson, Leuthold, Lucas, McNamara, McOmber, Nutting, Rehberg, Schepens, Selstad, Smiley, Smith, Spilde, Tooke, Ulmer, Williams. Total 30.

Absent or not voting: Eskildsen, Scherf. Total 2.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

House Bill No. 301 was passed by the following vote:

Ayes: Aasheim, Atkins, Bashor, Bollinger, Cerovski, Christiansen, Cregg, Delano, Deschamps, Dye, Eklund, Eskildsen, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jensen, Judge, Laas, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McNamer, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 57.

Noes: Asbjornson, Bailey, Bardanouve, Boughton, Brenner, Broeder, Casey, Crum, Cummings, East, Egan, Falkenstern, Felt, Fischer, Harper, Johnson, Leuthold, Lucas, McDonald, McNamara, McOmber, Nichols, Nutting, Rehberg, Schepens, Selstad, Smiley, Smith, Tooke, Ulmer, Williams. Total 31.

Absent or not voting: Scherf, Spilde. Total 2.

Excused: Jenkins, Rygg, Schye, Woodard. Total 4.

Motion was made by Cerovski that the House revert to Order of Business No. 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 448 be amended as follows:

Amend Section 1 by striking out in line 6, page 1, of the printed bill, the word "twenty" and inserting in lieu thereof the word "ten".

Amend Section 1 by striking out in line 7, page 1, of the printed bill, the figures (20%) and inserting in lieu thereof the figures (10%).

And as so amended, do pass.

That House Bill No. 447 be amended as follows:

Amend the title by striking out in line 3 in the printed bill the words "and one-half" and further by striking the figures and punctuation "(5½%)" in line 4 of the title, and inserting in lieu thereof on line 4 of the title the figures and punctuation "(5%)".

Amend Section 1 by striking out in line 23, page 2, of the printed bill, the words "and one-half".

Amend Section 1 by striking out in line 23, page 2 of the printed bill the figures "(5½%)" and inserting in lieu thereof the figures "(5%)".

And as so amended, do pass.

That House Bill No. 332 do pass.

That House Bill No. 512 be amended as follows:

Amend Section 1 by striking out in lines 3 and 4 the words and figures "ten million dollars (\$10,000,000.00)" and inserting in lieu thereof the words and figures "fifteen million dollars (\$15,000,000.00)".

And as so amended, do pass.

That House Bill No. 502 be placed at the bottom of the list.

That the committee rise and report.

Report adopted.

AASHEIM, Chairman.

February 13, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 347, 72, 169 and 517.

JAMES, Vice-Chairman.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGES FROM THE GOVERNOR

February 13, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 39—Introduced by Haines, Bardanouve, Flynn, et al.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

February 13, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 5, introduced by Hafferman, et al.

Senate Bill No. 7, introduced by Mathers, et al.

Senate Bill No. 28, introduced by Keller, et al.

Senate Bill No. 32, introduced by McGowan, et al.

Senate Bill No. 91, introduced by McGowan, et al.

Senate Bill No. 98, introduced by Melcher and O'Neill.

Senate Bill No. 153, introduced by McGowan, et al.

Senate Bill No. 168, introduced by Graham, et al.

Senate Bill No. 170, introduced by Committee on Highways and Transportation.

Senate Bill No. 178, introduced by Dussault, et al.

Senate Bill No. 191, introduced by Reardon, et al.

Senate Bill No. 213, introduced by Huntley and O'Neill.

Senate Bill No. 219, introduced by McGowan and Turnage.

Senate Joint Resolution No. 9, introduced by McGowan, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House suspend rule 6-37 to allow transmittal and receipt of reapportionment bills and all bills pertinent to reapportionment from one house to the other until and including the 48th Legislative day. Motion carried.

February 13, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 503, 505, 447, 448, 512, and 332.

HARPER, Chairman.

FIRST READING AND COMMITMENT OF BILLS

The following were introduced, read first time, and referred to committees:

Senate Bill No. 5, introduced by Hafferman, Cumming, Huntley, Jensen, Thiessen, Davis: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R. C. M. 1947, relating to the classification of property for taxation in order to provide for a new classification relative to improvements on real property owned and occupied by a person of the age of sixty-five (65) years, or more, who is not gainfully employed to such extent as would render him ineligible for social security benefits and who does not have income, excluding such retirement benefits, in excess of one thousand dollars (\$1,000.00) per year; repealing all acts and parts of acts in conflict therewith." Referred to Committee on State Administration.

Senate Bill No. 7, introduced by Mathers, Moritz, McGowan, Beck: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Public Institutions and the following public institutions: Montana Veterans' Home, State Hospital, State Prison, State Tuberculosis Sanitarium, Montana Center for the Aged, State Industrial School, State Training School and Hospital, Montana Children's Center and State Vocational School for Girls; amending Sections 10-504, 10-506, 10-507, 10-509, 10-512, 10-612, 10-632, 16-2723, 16-3410, 69-317, 69-318, 69-2308, 75-3002, 82-401, 82-602, 82-1014, 82-1131.1, 82-1202, 82-1301, 82-2202, 82-1914, 91-105, 91-106, 94-35-264, 94-8020, 94-8022 and 94-8023, R. C. M. 1947, and repealing Sections 10-101, 10-101.1, 10-102, 10-105, 10-110 through 10-114, 10-118 through 10-121, 38-101, 38-102, 38-104, 38-712 through 38-724, 38-802, 38-804 through 38-807, 38-810, 38-811, 38-813 through 38-816, 38-819, 38-1001, 38-1002, 38-1003, 38-1101, 38-1106, 38-1108 through 38-1112, 72-144, 80-201, 80-206, 80-207, 80-209, 80-210.1, 80-215, 80-302, 80-303, 80-308, 80-310, 80-311, 80-313, 80-316, 80-320, 80-601 through 80-608, 80-701 through 80-705, 80-707, 80-707.1, 80-707.2, 80-707.3, 80-707.4, 80-707.5, 80-708 through 80-715, 80-719, 80-720, 80-731, 80-732, 80-733, 80-738, 80-740, 80-740.1, 80-742, 80-743, 80-745, 80-746, 80-748, 80-806, 80-807, 80-809, 80-811, 80-815 through 80-824, 80-902, 80-903, 80-911, 80-915, 80-918

through 80-929, 80-1001 through 80-1006, 80-1101, 80-1201 through 80-1212, 80-1301 through 80-1306, 80-1103, 82-2801 through 82-2803, 94-35-152, 94-35-152.1 through 94-35-152.18, R. C. M. 1947." Referred to Committee on State Administration.

Senate Bill No. 28, introduced by Keller, Cotton, James, MacDonald, Brownfield, Edwards: A bill for an act entitled: "An act to amend Sections 75-1810 and 75-1813, R. C. M. 1947, to provide that bonded indebtedness is assumed by the new school district when school district boundaries are changed through consolidation or annexation." Referred to Committee on Education.

Senate Bill No. 32, introduced by McGowan, Huntley, James, Thiessen, Nees: A bill for an act entitled: "An act making it a criminal offense to sell, publish, exhibit or otherwise deal in obscene material; amending Section 94-3603, R. C. M. 1947, to delete reference to obscene material; amending Section 11-922, R. C. M. 1947, relating to the powers of city and town councils to prohibit the exhibition of immoral material; and repealing Sections 94-3601, 94-3602, 94-3604, 94-3605, and 94-3606, R. C. M. 1947, relating to obscene material." Referred to Committee on Judiciary.

Senate Bill No. 91, introduced by McGowan, Bovey, Beck, Mackay: A bill for an act entitled: "An act to amend Section 53-106, R. C. M. 1947, by providing that the number plates on motor vehicles be issued annually; that they be treated with reflectorized background material or numerals and border; providing for an additional registration fee; providing for the disposition of such fees; deleting therefrom the provisions for insert tabs or plates and deleting therefrom the provision for windshield stickers." Referred to Committee on Highways.

Senate Bill No. 98, introduced by Melcher, O'Neill: A bill for an act entitled: "An act amending the Workmen's Compensation Act of the State of Montana, to be numbered and designated as Section 92-709.1, Revised Codes of Montana, 1947, relating to an election of remedies by an injured claimant when he shall have sustained injuries to or loss of a specific member of his body compensable under the provisions of Section 92-709, Revised Codes of Montana, 1947, and allowing him to proceed under the provisions of Section 92-703, Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Labor and Compensation.

Senate Bill No. 153, introduced by McGowan, Michels, DeWolfe, Nees, Mahoney, Moritz, Cole: A bill for an act entitled: "An act authorizing and directing the State Highway Commission to establish temporary and permanent ports of entry and checking stations." Referred to Committee on Highways.

Senate Bill No. 168, introduced by Graham, James, Cotton: A bill for an act entitled: "An act requiring two red and two amber flashing lights on the front and rear of each school bus; providing that amber lights shall be actuated approximately five hundred feet before a school bus is stopped to receive or discharge school children; and amending Sections 32-21-132, 32-2197, 32-2198, and 75-3308, R. C. M. 1947." Referred to Committee on Education.

Senate Bill No. 170, introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to be known as the Montana Highway Code, for the codification and general revision of the laws pertaining to highways, including planning, construction, and maintenance; amending Sections 16-1004, 16-2008, 16-2010, 16-2011, 16-3302, 53-122, 84-1813, 94-3202, and 94-3565, R. C. M. 1947, and repealing Sections 16-1004.1, 16-1118, 16-1127, 16-1128, 16-2009, 16-2201 through 16-2204, 16-3311, 16-3312, 32-102 through 32-107, 32-201 through 32-208, 32-302 through 32-314, 32-316, 32-401 through 32-413, 32-415, 32-416, 32-501 through 32-507, 32-509 through 32-526, 32-601, 32-602, 32-701 through 32-711, 32-713 through 32-715, 32-901 through 32-905, 32-1002 through 32-1010, 32-1012 through 32-

1014, 32-1016, 32-1301, 32-1601 through 32-1610, 32-1613 through 32-1618, 32-1620, 32-1622 through 32-1626, 32-1801 through 32-1804, 32-1901 through 32-1915, 32-2001 through 32-2010, 53-615 through 53-619, 53-621 through 53-623, 53-628 through 53-631, 53-634 through 53-639, 53-643, 84-1812(1), 84-1812(2), 84-1815, 84-1817, 89-821, 89-822, and 94-3201, R. C. M. 1947; providing for a savings clause and providing for the effective date of this act." Referred to Committee on Highways.

Senate Bill No. 178, introduced by Dussault, McDonnell: A bill for an act entitled: "An act to submit to the electors of Montana an amendment to the Constitution relating to the custody and investment of public funds and removing restrictions on the permissible types of investments for moneys in the custody of a public agency by amending Section 3, Article XI of the Constitution of Montana and repealing Section 8, Article XXI of the Constitution of Montana." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 191, introduced by Reardon, Harris, O'Neill, Cumming, Hilling: A bill for an act entitled: "An act known as the Montana Air Pollution Control Act; declaring air pollution a public nuisance; declaring policy; defining terms; creating an air pollution control commission and providing for its organization, terms of members, compensation and expense; providing for appointment of a secretary thereof; fixing the duties and powers of said commission and of its secretary; providing for adoption of rules and regulations by the commission and for enforcement thereof and providing for determination of the validity thereof; providing penalties; providing for investigations of violation of the act and rules and regulations thereunder; providing for hearings and notices by the commission; providing for appeals from determinations by the commission or secretary; permitting variances and exemptions from the act; providing for issuance of permits; providing for appeals to the district courts, and containing a severability clause." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 213, introduced by Huntley, O'Neill: A bill for an act entitled: "An act to require defendants in damage actions to disclose the existence and terms of liability policies and to produce such policies for examination and copying; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 219, introduced by McGowan, Turnage: A bill for an act entitled: "An act defining air pollution; declaring air pollution a public nuisance; and designating the State Board of Health of the State of Montana as the air pollution study and research agency for the receipt and administration of grants and gifts for air pollution research or survey programs." Referred to Committee on Public Health, Welfare and Safety.

Senate Joint Resolution No. 9, introduced by McGowan, Mackay, Gerard, Dussault, Hibbard, Groff: A Joint Resolution of the Senate and House of Representatives asking the Legislative Council to conduct a study of the existing tax structure, estimated revenue from various types of taxes, the needs for new state revenue and the effects on the Montana economy of the various revenue sources. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 311 be placed at the bottom of the list.

That House Bill No. 484 be amended as follows:

Amend Section 4 by striking out in line 8, page 2 of the printed bill, the words "on premises" and inserting in line 7, page 2 of the printed bill between the words "leased" and "equipment" the word and punctuation "premises,".

Amend Section 5 by adding in line 3, page 3 of the printed bill between the words "tavern" and "is" the words and punctuation ", or who leases equipment, appliances or accessories for such purpose,".

And as so amended, do pass.

That House Bill No. 359 be placed following House Bill No. 405.

That House Bill No. 82 do pass.

That House Bill No. 405 be amended in Section 1 by deleting the quotation marks in line 14 of the printed bill, and adding the following sentence: "Nothing in this act shall change the exceptions in Section 66-1316, R. C. M., 1947, nor the ancillary employees of the persons excepted in that section."

And as so amended, do pass.

That House Bill No. 359 be amended as follows:

Amend by deleting the last paragraph beginning at line 32 of the printed bill and inserting in lieu thereof the words:

"By the acceptance of a contract for professional services, the architect shall be deemed to have agreed that if no bids are received within the authorized or appropriated amount based upon the plans and specifications prepared by the architect, such architect shall, without further remuneration for such services, prepare and present such other plans and specifications as may be necessary to achieve bids within the authorized or appropriated amount."

And as so amended, do pass.

That House Bill No. 457 do pass.

That House Bill No. 440 do not pass.

That House Amendment to House Bill No. 49 do pass.

That House Bill No. 490 be moved to a position just above House Bill No. 491.

That House Bill No. 391 do pass.

That House Bill No. 462 do pass.

That House Bill No. 384 do pass.

That House Bill No. 283 do pass.

That the committee rise and report.

AASHEIM, Chairman.

Motion was made by Aasheim that the committee report be adopted.

Substitute motion was made by Felt that House Bill No. 440 be segregated from the Committee of the Whole report, with the results thereof spread on the Journal. Motion was carried by the following vote:

Ayes: Aasheim, Bardanouve, Bollinger, Boughton, Cregg, Cummings, Deschamps, Eklund, Felt, Flynn, Gilfeather, Gunderson, Hall, Harper,

James, Johnson, Judge, Leuthold, Lund, McDonald, McNamer, McOmber, Meccage, Nefzger, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Scherf, Selstad, Slaby, Smiley, Smith, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits. Total 43.

Noes: Asbjornson, Atkins, Bailey, Bashor, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Delano, Dye, East, Eskildsen, Falkenstern, Fischer, Garrison, Gerke, Gill, Gilligan, Haines, Hanks, Healy, Holtz, Jensen, Laas, Loman, Lombardi, MacCalman, Mather, McNamara, Nelson, Pierce, Rehberg, Sheehy, Shugrue, Stranahan, Swanz, Woodard, Mr. Speaker. Total 40.

Absent or not voting: Egan, Lewis, Lucas, Nichols, Raundal, Spilde, Sullivan, Zimmer. Total 8.

Excused: Jenkins, Rygg, Schye. Total 3.

Committee of the Whole report adopted.

February 13, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 484, 405 and 82.

HARPER, Chairman.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 447 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lombardi, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Scherf, Sheehy, Slaby, Stranahan, Tracy, Twedt, Watt, Willits. Total 51.

Noes: Bashor, Boughton, Broeder, Crum, Delano, Dye, East, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Haines, Hanks, James, Jensen, Loman, Lund, Mather, McNamer, Nutting, Pierce, Rehberg, Selstad, Shugrue, Smiley, Smith, Swanz, Tooke, Ulmer, Williams, Woodard. Total 32.

Absent or not voting: Bardanouve, Lewis, Lucas, Raundal, Spilde, Sullivan, Zimmer, Mr. Speaker. Total 8.

Excused: Jenkins, Rygg, Schye. Total 3.

Motion was made by McNamer that the House revert to Order of Business No. 6. Motion was lost.

House Bill No. 448 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Deschamps, Egan, Eklund, Felt, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Slaby, Stranahan, Tracy, Twedt, Watt, Willits. Total 51.

Noes: Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Fischer, Garrison, Haines, Hanks, Healy, Loman, Lombardi, Lund, Mather, McNamer, Nutting, Pierce, Rehberg, Selstad, Shugrue, Smiley, Smith, Swanz, Tooke, Ulmer, Williams, Woodard, Zimmer. Total 32.

Absent or not voting: Cummings, Eskildsen, Lewis, Lucas, Nichols, Spilde, Sullivan, Mr. Speaker. Total 8.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 512 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Spilde, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 57.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, Haines, James, Leuthold, Loman, Lund, MacCalman, Mather, McNamer, Nichols, Nutting, Rehberg, Selstad, Smiley, Smith, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 31.

Absent or not voting: Lewis, Lucas, Sullivan. Total 3.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 327 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tracy, Twedt, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Asbjornson, Tooke, Ulmer. Total 3.

Absent or not voting: Lewis, Lucas, Nefzger, Sullivan. Total 4.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 72 was passed by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 75.

Noes: Asbjornson, Atkins, Bashor, Delano, Dye, East, Leuthold, Nutting, Smiley, Smith, Spilde, Williams, Woodard. Total 13.

Absent or not voting: Lewis, Lucas, Sullivan. Total 3.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 169 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: East, Garrison, Smith. Total 3.

Absent or not voting: Lewis, Sullivan. Total 2.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 517 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Lewis, Sullivan. Total 2.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 503 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Deschamps, East, Egan, Eklund, Eskildsen, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lombardi, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 69.

Noes: Asbjornson, Boughton, Broeder, Delano, Dye, Falkenstern, Felt, Jensen, Loman, Lucas, Lund, McNamer, Pierce, Rehberg, Selstad, Smiley, Smith, Ulmer, Woodard. Total 19.

Absent or not voting: Crum, Lewis, Sullivan. Total 3.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 505 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Holtz, Johnson, Judge, Laas, Leuthold, Lombardi, McDon-

ald, McOmber, Meccage, Nefzger, Nelson, Nichols, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Scherf, Sheehy, Slaby, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 52.

Noes: Asbjornson, Boughton, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Haines, Healy, James, Jensen, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Nutting, Obstarczyk, Rehberg, Schepens, Selstad, Shugrue, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 36.

Absent or not voting: Cummings, Lewis, Sullivan. Total 3.

Excused: Jenkins, Rygg, Schye. Total 3.

House Substitute for House Bill No. 332 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Lewis, Sullivan. Total 2.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 82 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 87.

Noes: Haines, Zimmer. Total 2.

Absent or not voting: Lewis, Sullivan. Total 2.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 405 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Crum, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Williams, Willits, Woodard, Mr. Speaker. Total 76.

Noes: Bardanouve, Brenner, Cregg, Cummings, Delano, Flynn, Haines, Hall, O'Leary, Scherf, Watt. Total 11.

Absent or not voting: Lewis, Rehberg, Sullivan, Zimmer. Total 4.

Excused: Jenkins, Rygg, Schye. Total 3.

House Bill No. 484 was passed by the following vote:

Ayes: Bardanouve, Bashor, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lombardi, Lucas, Lund, McDonald, McNamara, McNamer, McOmber, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 59.

Noes: Aasheim, Asbjornson, Atkins, Bailey, Bollinger, Boughton, Brenner, Broeder, Dye, East, Egan, Falkenstern, Garrison, Laas, Loman, MacCalman, Mather, Meccage, Nefzger, Nutting, Pierce, Raundal, Smiley, Smith, Spilde, Stranahan, Swanz, Williams, Woodard. Total 29.

Absent or not voting: Lewis, Sullivan, Zimmer. Total 3.

Excused: Jenkins, Rygg, Schye. Total 3.

Motion was made by Schepens that the House revert to Order of Business No. 6. Motion was lost.

Motion was made by Cerovski that the House recess until 7:30 p. m. this day. Motion carried.

House recessed.

EVENING SESSION

MESSAGE FROM THE SENATE

February 13, 1965

Mr. Speaker:

I am directed to inform you that the Senate, by unanimous consent, agreed to suspend Joint Rule 6-37 to allow transmittal and receipt of reapportionment bills and all bills pertaining to reapportionment from one house to the other, until and including the Forty-eighth Legislative Day.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Schepens that House Bills Nos. 311 and 312 be placed at the top of the list for the Forty-third day. Motion was lost.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

February 13, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 474, beg leave to report that the same has this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 440 do not pass.

That House Bill No. 345 do pass.

That House Bill No. 407 do pass.

That House Bill No. 314 do pass.

That House Bill No. 506 do pass.

That House Bill No. 490 do not pass.

That House Bill No. 491 do not pass.

Mr. Twedt in the Chair for consideration of House Bill No. 421.

That House Bill No. 421 be passed for this sitting.

That the Committee rise and report and beg leave to sit again.

AASHEIM, Chairman.

Report adopted.

Motion was made by Cеровski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Twedt of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 92 do pass.

Mr. Aasheim returned to the Chair.

That House Bill No. 377 do pass.

That House Bill No. 478 be moved to the bottom of the list.

That House Bill No. 435 do pass.

That House Bill No. 493 do pass.

That House Bill No. 230 do pass.

That House Bill No. 161 do pass.

That House Bill No. 504 do pass.

That House Bill No. 467 do pass.

That the Committee rise and report.

AASHEIM, Chairman.

Report adopted.

February 13, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 345, 506, 407, 49, 314, 359.

HARPER, Chairman.

February 13, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 462, 457, 384, 391, 283.

HARPER, Chairman.

Motion was made by Cerovski that the House adjourn until 1:00 p. m. Sunday, February 14, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FORTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 14, 1965

House convened, pursuant to adjournment at 1:00 p.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Rygg, excused, and Smiley.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-first Legislative Day, find the same to be correct.

ESKILDTSEN, Vice-Chairman.

Report adopted.

February 14, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 493, 377, 504, 435, 467, 230, 92, 161.

JAMES, Vice-Chairman.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Loman of Lake in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That motion that House Bill 497 do pass failed.

That House Bill No. 421 be amended as follows:

Amend in the Title on page 2 of the printed bill on the fifth line thereof, being page 1 line 23 of the original bill, by inserting after the word "act" and before the semi-colon ";," the following: and providing for loan agreements to be executed by recipients

Amend House Bill No. 421 by striking out in line 7, page 7, of the original bill the words and figures "Section 15" and insert in lieu thereof

"Section 14" and strike out in line 14, page 7, of the original bill the words and figures "Section 16" and insert in lieu thereof "Section 15" and strike out in line 21, page 7 of the original bill the words and figure "Section 17" and insert in lieu thereof "Section 16"

And strike out in line 28, page 7 of the original bill the words and figure "Section 18" and insert in lieu thereof "Section 17"

And amend Section 15 by adding in line 7 of the printed bill following the period (.) the following words "All recipients of such scholarships shall execute and deliver to the board of regents a loan agreement whereby the amounts provided each recipient shall be repaid by such recipient in installments over a period of ten years from the time of graduation or leaving school of such recipient. Such agreements shall provide for no interest while the recipient is attending college under this program, but interest at 4% per annum on unpaid amounts shall be paid thereafter. All such repayments and interest shall revert to the general fund."

And as so amended, do pass.

That House Substitute for House Bill No. 369 be placed at the bottom of the list.

That House Bill No. 239 do pass.

That House Bill No. 238 be moved down the list below House Bill No. 461.

That House Bill No. 452 do pass.

That House Bill No. 469 do pass.

That House Joint Resolution No. 38 do pass.

That House Bill No. 461 do not pass.

That House Bill No. 238 be moved to the bottom of the list.

That House Bill No. 495 be amended in Section 1 by striking out in line 4, page 1, after the words "in" the word "an" and inserting in lieu thereof the words "a joint"

And as so amended, do pass.

That House Substitute for House Bill No. 496 do pass.

That House Bill No. 220 do pass.

That House Bill No. 479 be amended as follows:

Delete Sections 1, 2, 3, 4 and 5 in their entirety, on pages 1, 2, and 3 of the original bill which are pages 1, 2, 3, and 4 of the printed bill and insert in lieu thereof the following material:

"Section 1. (1) Except as provided in subsection (2) of this section, the state highway commission shall pay the entire costs of construction and maintenance of streets and highways which:

(a) Are state highway routes; and

(b) Are within municipalities incorporated prior to January 1, 1965.

(2) An incorporated municipality shall pay one-half (1/2) of the state's share of the cost of curbs and gutters along such streets and highways.

Section 2. (1) The highway commission shall not construct highway bypasses or highway relocation projects without prior consent of the governing body of an incorporated municipality when the bypasses or projects:

(a) Are not part of the national system of Interstate Highways built under the National Defense Highway Act; and

(b) Divert motor vehicles from an existing highway route through a municipality incorporated prior to January 1, 1965.

(2) The highway commission shall notify the governing body of such municipality by certified mail that they propose to bypass the municipality. No contract shall be let nor work commenced until the governing body notifies the commission of its consent, or until the elapse of sixty (60) days after the notice has been sent by the highway commission to such municipality, whichever first occurs. The failure of such municipality to act and notify the highway commission of its action within such sixty (60) day period shall constitute implied consent to the bypass.

(3) Actual consent or refusal to bypass shall be in the form of a resolution, duly adopted by a majority of the members of the governing body of the municipality.

(4) The governing body may not withdraw consent once the highway commission has been notified of such consent.

(5) Nothing contained in this act shall in any way modify the provisions of Section 32-1625, R. C. M. 1947.

2. Renumber Section 6 of the original bill accordingly.

And as so amended, do pass.

That House Bill No. 189 do pass.

That House Bill No. 199 do pass.

That House Bill No. 433 do pass.

That the motion that House Bill No. 204 do pass, failed.

That House Bill No. 307 do pass.

That House Bill No. 502 be indefinitely postponed.

That House Bill No. 312 be considered before House Bill No. 311.

Mr. Twedt in the Chair for consideration of House Bill No. 312.

That House Bill No. 312 do pass.

Mr. Loman returned to the Chair.

That House Bill No. 311 do pass.

That House Bill No. 478 be moved to the bottom of the list.

That House Bill No. 326 do pass.

That House Bill No. 188 do pass.

That House Bill No. 278 be amended in Section 1 by striking out in lines 70, 71, and 72, page 4, of the printed bill the following words: "Assessors, and appraisers and one or more County Commissioner from each county to attend and the cost of their attendance shall be borne by the respective counties", and inserting in lieu thereof the words "assessors and appraisers from each county to attend and one or more County Commissioners may attend and the cost of attendance shall be borne by the respective counties".

And as so amended, do pass.

That House Bill No. 238 be amended as follows:

Amend the Title by striking out in line 5, 6 and 7, page one, of the printed bill the words "Amending Section 93-9911, R. C. M. 1947, relating to the power of the court and preliminary condemnation order".

And further amend by striking out in line 8, page 1 of the printed bill the words and figures "and 93-9914", and by striking out in lines 8, 9 and 10, page 1, of the printed bill the words "to provide for a preliminary assessment of compensation by the District Court and" and by striking out from line 1 and 2, page 2 of the printed bill the words "and any effective date".

Amend Section One by striking out Section One in its entirety.

Amend Section Two by renumbering it as Section One, and by inserting and interlining the following matter deleted in line 4 of page 3, at the point indicated by words "Matter deleted" — "Appointment and meeting of commissioners. Immediately upon making and entering the preliminary condemnation order."

And to further amend Section Two by inserting and interlining the following matter deleted in line 23, page 3 of the printed bill. "One of such commissioners shall be nominated by the party or parties plaintiff; one of such commissioners shall be nominated by the party or parties defendant. The third commissioners shall be the chairman and shall be nominated by the two commissioners previously nominated, providing, however, that if said two commissioners fail to make such choice at the time of their appointment, then such nomination shall be made by the presiding judge."

And further amend Section two by inserting and interlining the following matter deleted "and nominations," after the word meeting in line 35, page 4, and to delete the words "by each nominating party or judge on such line and line 36, and by inserting and interlining as matter deleted word "nominated" before the word "appointed" in such line 36.

And to further amend Section Two by inserting and interlining as deleted matter the words "nomination and" in line 52, page 4, following the word "such."

And to further amend Section Two by deleting all of the material beginning on line 103, page 6, to the end of the section.

Amend Section Three by striking out Section Three in its entirety.

Amend Section 4, by deleting the same and inserting in lieu thereof the following and renumbering it Section "2".:

Section 2. That Section 93-9915, R. C. M. 1947, as amended, be and the same is hereby amended to read as follows:

"93-9915. (9947) [Appeal from assessment of commissioners.] Final judgment to be entered. [An appeal from any assessment made by the commissioners may be taken and prosecuted in the court where the report of said commissioners is filed by any party interested. Such appeal must be taken within the period of thirty (30) days after the service upon appellant of the notice of the filing of the award by the service of notice of such appeal upon the opposing party or his attorney in such proceedings and the filing of the same in the district court wherein the action is pending, and the same shall be brought on for trial upon the same notice and in the same manner as other civil actions, and unless a jury shall be waived by the consent of all parties to such appeal, the same shall be tried by jury, and the amount to which appellant may be entitled, by reason of the appropriation of his property, shall be reassessed upon the same principle as hereinbefore prescribed for the assessment of such amount by commissioners, upon any verdict or assessment by commissioners becoming final, judgment shall be entered declaring that upon payment of such verdict or assessment, together with the interests and cost allowed by law, if any, the right to construct and maintain the highway, railroad, or other public work or improvement and take, use and appropriate the property described in such verdict or assessment, for the use and purposes for which said land has been condemned, shall, as against the parties interested in such verdict or assessment, be and remain in the plaintiff and his or its heirs, suc-

cessors or assigns forever. In case the party appealing from the award of the commissioners in any preceeding, as aforesaid, shall not succeed in changing to his advantage the amount finally awarded in such proceeding, he shall not recover the costs of such appeal, but all the costs of the appellee upon such appeal shall be taxed against and recovered from the appellant, provided, that upon the trial of such appeal, the plaintiff may contest the right of any party or parties thereto to any of the property mentioned and set forth or involved in said appeal, which was located after the preliminary survey of any such highway or railroad, seeking to condemn its right of way under and pursuant to the provisions of this act provided, such condemnation proceedings are preliminary survey." "The verdict of the jury, or the assessment of the commissioners, whichever is elected, shall be incorporated in the judgment of the court, which judgment shall provide that upon payment of such amount awarded, together with the interest and cost allowed by law, if any, the right to construct and maintain the highway, railroad, or other public work or improvement, and to take, use, and appropriate the property described in such verdict or assessment, for the uses and purposes for which said land has been condemned, shall, as against the parties interested in such verdict or assessment, be and remain in the plaintiff and his or her heirs, successors or assigns forever.

(Material in brackets stricken.)

"If a condemnation suit involves more than one defendant and the defendants are unable to agree upon a commissioners' trial or a jury trial, such suit shall be tried by a jury; provided, however, that if a plaintiff includes in a condemnation suit more than one parcel or tract of land and the defendants having an interest in one of such parcels or tracts are in agreement concerning a commissioners' trial or a jury trial, the trial with respect to such parcel or tract shall be in accordance with their election or choice."

Amend Section Five by renumbering it as Section Three and by inserting and interlining as matter deleted, in line 25, page 10, of the printed bill the following matter deleted "or after the report and assessment of the commissioners have been made and filed in the court, and either before or after appeal from such assessment, or from any other order or judgment in the proceedings".

And to further amend by inserting and interlining as matter deleted in line 30, page 16, the words "by the".

And to further amend by inserting and interlining as matter deleted, in line 38, page 10, the words "where an appeal is taken by such defendant".

And to further amend by inserting and interlining the words deleted at the various places indicated by the words (matter deleted) from and after such line 38, page 10, through line 85, page 12, of the printed bill.

Amend Sections 6 and 7 by renumbering them as Sections 4 and 5, to correspond with the other amendments.

Amend Section 8 by deleting the same.

And as so amended, do pass.

That House Bill No. 474 be amended as follows:

Amend the title of House Bill No. 474 by deleting the words: "monetary in nature, increasing wages on which contributions shall be paid to \$3,600-.00), and deleting the words "With excessive charge backs", in lines 4, 5, 6 and 7 of the title in the Original Bill, being lines 6, 7, 8, 9 and 10 of the title in the printed bill.

Amend Section 1 of House Bill No. 474 as follows:

By deleting lines 21 through 27 on page 2 and lines 1 through 25 on page 3 of the Original Bill being lines 34 through 98 on pages 2, 3 and 4 of the printed bill and inserting in lieu thereof the following:

"High-Quarter Wages (Col. A)	Weekly Benefit Amount (Col. B)	Minimum Qualifying Wages (Col. C)	Maximum Total Benefits at 13 Weeks (Col. D)	Maximum Total Benefits at 20 Weeks (Col. E)	Maximum Total Benefits at 26 Weeks (Col. F)
\$ 400.00-429.99	\$15.00	\$ 600.00	\$195.00	\$300.00	\$390.00
430.00-459.99	16.00	645.00	208.00	320.00	416.00
460.00-489.99	17.00	690.00	221.00	340.00	442.00
490.00-519.99	18.00	735.00	234.00	360.00	468.00
520.00-549.99	19.00	780.00	247.00	380.00	494.00
550.00-579.99	20.00	825.00	260.00	400.00	520.00
580.00-609.99	21.00	870.00	273.00	420.00	546.00
610.00-639.99	22.00	915.00	286.00	440.00	572.00
640.00-669.99	23.00	960.00	299.00	460.00	598.00
670.00-699.99	24.00	1,005.00	312.00	480.00	624.00
700.00-729.99	25.00	1,050.00	325.00	500.00	650.00
730.00-759.99	26.00	1,095.00	338.00	520.00	676.00
760.00-789.99	27.00	1,140.00	351.00	540.00	702.00
790.00-819.99	28.00	1,185.00	364.00	560.00	728.00
820.00-849.99	29.00	1,230.00	377.00	580.00	754.00
850.00-879.99	30.00	1,275.00	390.00	600.00	780.00
880.00-909.99	31.00	1,320.00	403.00	620.00	806.00
910.00-939.99	32.00	1,365.00	416.00	640.00	832.00
940.00-969.99	33.00	1,410.00	429.00	660.00	858.00
970.00-999.99	34.00	1,455.00	442.00	680.00	884.00
1,000.00-1,034.99	35.00	1,500.00	455.00	700.00	910.00
1,035.00-1,069.99	36.00	1,552.50	468.00	720.00	936.00
1,070.00 or more	37.00	1,605.00	481.00	740.00	962.00

Such benefit shall not be more than thirty-seven dollars (\$37.00) per week nor less than fifteen dollars (\$15.00) per week.

(c) Qualifying wages. To qualify as an insured worker an individual must have been paid wages for insured work in his base period totaling not less than the amount in column C of the benefit schedule in subsection (b) on the line on which in column B there appears his weekly benefit amount; provided that an individual who has high-quarter wages of eleven hundred and five dollars (\$1,105.00) or more must have been paid wages of one and one-half times his high-quarter wages during his base period."

Amend Section 2 of House Bill No 474 by inserting the letter "(a)", after the word "subsections" in line 2 on page 5 of the original bill, being line 20 on page 5 of the printed bill.

Amend Section 3 of House Bill No. 474 as follows:

By deleting lines 21 through 28 on page 5 and lines 1 and 2 on page 6 of the original bill being lines 16 through 24 on page 6 of the printed bill and inserting in lieu thereof the following:

"(b) Rate of contribution: Each employer shall pay contributions at the rate of three and five-tenths (3.5) per centum of wages paid as defined in this act, except as provided in subsection (c) and (d) of this section."

By deleting the words "[for] each calendar year thereafter" in line 4 on page 6 of the original bill, being line 26 on page 6 of the printed bill, and inserting in lieu thereof the words "for each calendar year[thereafter]"

(Material in brackets stricken.)

By deleting the words "[for the third calendar quarter of calendar year 1961]" in lines 1 and 2 on page 7 of the original bill being line 49

on page 7 of the printed bill and inserting in lieu thereof: "for the second calendar quarter of calendar year 1965 and"

(Material in brackets stricken.)

By deleting the words "one and five-tenth (1.5)" in line 6 on page 7 of the original bill being lines 53 and 54 of the printed bill and inserting in lieu thereof "one and seven-tenth (1.7)"

By deleting lines 11 through 15 on page 7 of the original bill being lines 58 through 62 on page 8 of the printed bill and inserting in lieu thereof the following:

"(1) Each employer who has paid contributions for less than five (5) years prior to the computation date shall pay contributions at the rate of two and seven-tenth (2.7) per centum until completion of such five (5) year period, except that if at any time after the first two (2) years of such five (5) year period it is determined that benefit payments charged to such employer's account, during the years prior to any computation date, exceeded the amount of his contributions for those years, then his contribution rate shall increase to three and five-tenth (3.5) per centum for the balance of the five (5) year period, unless he makes a voluntary contribution as provided in section 87-109 (c) (4). Such voluntary contribution must be applied first to the earliest of the five (5) years and then to subsequent years in the order provided in Section 87-109 (c) (4)."

By deleting lines 16 through 27 on page 7 and lines 1 through 4 on page 8 of the original bill being lines 63 through 76 on page 8 of the printed bill and inserting in lieu thereof the following:

(2) "The classified contribution rates for the calendar year 1965 and thereafter, except as hereinafter provided, shall be: five-tenths (.5) of one per centum, seven-tenths (.7) of one per centum, nine-tenth (.9) of one per centum, one and one-tenth (1.1) per centum, one and three-tenths (1.3) per centum, one and five-tenths (1.5) per centum, one and seven-tenths (1.7) per centum, one and nine-tenths (1.9) per centum, two and one-tenth (2.1) per centum, two and three-tenth (2.3) per centum, two and five-tenths (2.5) per centum, two and seven-tenth (2.7) per centum, two and nine-tenth (2.9) per centum, three and three-tenths (3.3) per centum, and three and five-tenths (3.5) per centum."

By deleting the words "one and five-tenths (1.5) on line 24 on page 9 of the original bill being line 122 on page 10 of the printed bill, and also in line 8 on page 10 of the original bill being line 132 on page 10 of the printed bill, and inserting in lieu thereof in both instances the words "one and seven-tenth (1.7)"

By deleting the words "two and seven-tenths (2.7)" in line 1 on page 10 of the original bill being line 126 on page 10 of the printed bill and also in lines 3 and 4 on page 10 of the original bill being line 128 of the printed bill, and inserting in lieu thereof in both instances the words "three and five-tenths (3.5)"

By deleting lines 4 through 9 on page 11 of the original bill being lines 152 through 158 on page 11 of the printed bill and inserting in lieu thereof the following:

"(3) Wages in excess of three thousand dollars (\$3,000.00). Commencing January 1, 1941, the provisions of this act requiring the payment of contributions by employers subject to this act shall apply only to wages paid up to and including three thousand (\$3,000.00) by an employer to an employee with respect to employment during any calendar year."

Amend Section 4 of House Bill No. 474 by deleting Section 4 in its entirety as the same appears in lines 11 and 12 on page 11 of the original bill being lines 1, 2 and 3 on page 11 of the printed bill and by adding the following sections:

"Section 4. If any clause, sentence, section, paragraph or part of this act shall for any reason be adjudged by any court of competent juris-

diction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder of this act but shall be confined in its operation to the clause, sentence, section, paragraph or part directly adjudged to be invalid or inoperative.

"Section 5. All acts or parts of acts in conflict herewith are hereby repealed.

"Section 6. Sections 1 and 2 of this act shall be in full force and effect on and after April 4, 1965, and Sections 1 and 2 shall apply to all benefit years beginning on and after April 4, 1965, and the insured status of all claimants who have a benefit year current on or after April 4, 1965 shall be redetermined and benefits shall be paid in accordance with this provision, provided that no insured worker shall have his benefits reduced or denied by redetermination resulting from the application of this provision; Section 3 of this act shall be in full force and effect on and after April 1, 1965."

And as amended, do pass.

That House Substitute for House Bill No. 369 be amended as follows:

Amend Section 2 by striking out in line 3 the following words "County, State,"

Amend Section 16 in line 13 on page 7 after the word thereof by adding "and to the holder of any secured interest therein."

Amend Section 16 by striking out in line 21, page 8 of the printed bill the period and inserting the words "free of any such security interest".

Amend Section 16 by adding in line 27, page 8 of the printed bill, after the word "owner", by inserting the words "or holder of a security interest".

And add Section 17: "All acts and parts of acts in conflict herewith are hereby repealed."

And as so amended, do pass.

That House Bill No. 478 be indefinitely postponed.

That the Committee rise and report.

LOMAN, Chairman.

Motion was made by Loman for the adoption of the Committee report.

Substitute motion was made by Cregg that House Joint Resolution No. 38 be segregated from the Committee of the Whole report. Substitute motion was lost.

Substitute motion was made by Hall that House Bill 382 be segregated from the Committee of the Whole report. Substitute motion was lost.

Substitute motion was made by Hall that House Bill No. 461 be segregated from the Committee of the Whole report, with a roll call vote, and the results thereof spread on the Journal. Substitute motion lost by the following vote:

Ayes: Bardanouve, Bashor, Christiansen, Cregg, Eklund, Eskildsen, Fische, Flynn, Gilfeather, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, McDonald, McOmber, Nefzger, Obstarczyk, O'Hair, Slaby, Sullivan, Tracy, Twedt, Watt, Willits. Total 30.

Noes: Aasheim, Asbjornson, Atkins, Bailey, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Falkenstern, Felt, Garrison, Gerke, Haines, Hanks, James, Jenkins, Jensen, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nelson, Nichols, Nutting, O'Leary, Pierce, Raundal, Rehberg, Sartz, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard, Zimmer. Total 57.

Absent or not voting: Gill, Prevost, Schepens, Scherf, Smiley, Mr. Speaker. Total 6.

Excused: Rygg. Total 1.

Substitute motion was made by Obstarczyk that House Bill No. 497 be segregated from the Committee of the Whole report, that a roll call vote be taken, and the results thereof spread on the Journal. Substitute motion failed by the following vote:

Ayes: Atkins, Bollinger, Casey, Cummings, Hall, Healy, Johnson, Lewis, Lombardi, McDonald, Nutting, Obstarczyk, Prevost, Sartz, Schepens, Schye, Stranahan, Sullivan, Tracy, Willits. Total 20.

Noes: Asheim, Asbjornson, Bailey, Bardanouve, Boughton, Brenner, Broeder, Christiansen, Cregg, Crum, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hanks, Harper, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, O'Leary, Pierce, Raundal, Rehberg, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer. Total 67.

Absent or not voting: Bashor, Cerovski, O'Hair, Scherf, Smiley, Mr. Speaker. Total 6.

Excused: Rygg. Total 1.

Original motion for the adoption of the Committee of the Whole report carried. Report adopted.

February 14, 1965

Mr. Speaker: We, your Committee of Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 311, 312.

HARPER, Chairman.

February 14, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 326, 188, 278, 474, 369, 238, 478.

HARPER, Chairman.

February 14, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 433, 199, 189, 421.

HARPER, Chairman.

February 14, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolution No. 38, Substitute House Bill No. 495, House Bills Nos. 469, 452, 220, 239.

HARPER, Chairman.

February 14, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 307, 479, and 496.

JAMES, Vice-Chairman.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 462 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings,

Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 77.

Noes: Boughton, Crum, Delano, Felt, Garrison, James, Lucas, Lund, Selstad, Smith, Spilde, Ulmer, Williams, Woodard. Total 14.

Absent or not voting: Smiley, Zimmer. Total 2.

Excused: Rygg. Total 1.

House Bill No. 457 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Broeder, Casey, Dye, Gunderson, Johnson, MacCalman. Total 6.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 384 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Sheehy, Slaby, Smith, Spilde, Stranahan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 80.

Noes: Atkins, Bardanouve, Boughton, Deschamps, Harper, Johnson, McOmber, Scherf, Shugrue, Sullivan, Tracy, Zimmer. Total 12.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 391 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bollinger, Boughton, Broeder, Casey, Christiansen, Cregg, Crum, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Garrison, Gerke, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Rehberg, Scherf, Schye, Selstad, Swanz, Tooke, Ulmer, Watt, Williams, Woodard. Total 62.

Noes: Aasheim, Atkins, Bashor, Brenner, Cerovski, Cummings, Deschamps, Fischer, Flynn, Gilfeather, Judge, Lombardi, McOmber, O'Leary, Prevost, Raundal, Sartz, Schepens, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Tracy, Twedt, Willits, Zimmer, Mr. Speaker. Total 30.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 283 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, James, Jenkins, Jensen, Judge, Laas, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Randall, Rehberg, Schye, Selstad, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Williams, Willits, Woodard, Mr. Speaker. Total 72.

Noes: Broeder, Cregg, Dye, Egan, Eskildsen, Holtz, Johnson, Leuthold, Lewis, Lombardi, O'Hair, Prevost, Sartz, Schepens, Scherf, Slaby, Twedt, Watt, Zimmer. Total 19.

Absent or not voting: Bardanouve, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 345 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: Harper, McNamer. Total 2.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 506 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: Felt. Total 1.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 407 was passed by the following vote.

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 49 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Mather, Selstad, Smith. Total 3.

Absent or not voting: Boughton, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 314 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Crum, Cummings, Delano, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Haines, Hanks, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard, Mr. Speaker. Total 57.

Noes: Aasheim, Bollinger, Cerovski, Christiansen, Cregg, Deschamps, Eklund, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Judge, Lombardi, McDonald, McNamara, Nefzger, Obstarczyk, O'Hair, O'Leary, Sartz, Scherf, Sheehy, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 35.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 359 was passed by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Haines, Harper, James,

Jenkins, Johnson, Laas, Leuthold, Lewis, MacCalman, Mather, McOmber, Nefzger, Nichols, O'Leary, Raundal, Sartz, Schepens, Schye, Smith, Spilde, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 46.

Noes: Asbjornson, Bailey, Broeder, Casey, Cregg, Crum, Delano, Dye, Eklund, Falkenstern, Felt, Garrison, Gilligan, Hall, Hanks, Healy, Holtz, Jensen, Judge, Loman, Lombardi, Lucas, Lund, McDonald, McNamara, McNamer, Meccage, Nelson, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Scherf, Selstad, Sheehy, Shugrue, Slaby, Stranahan, Swanz, Ulmer, Williams, Woodard. Total 44.

Absent or not voting: East, Smiley, Zimmer. Total 3.

Excused: Rygg. Total 1.

House Bill No. 493 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Wodard, Zimmer, Mr. Speaker. Total 89.

Noes: Bardanouve, Selstad, Williams. Total 3.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 377 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: Broeder, Dye. Total 2.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 504 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary,

Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Jensen, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 435 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: Cummings, Jensen. Total 2.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 467 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 68.

Noes: Asbjornson, Boughton, Crum, East, Falkenstern, Felt, Garrison, James, Jenkins, Loman, Lucas, Lund, MacCalman, Mather, Nichols, Pierce, Rehberg, Selstad, Smith, Spilde, Swanz, Ulmer, Williams, Woodard. Total 24.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 230 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Asbjornson, Boughton, East, MacCalman, Nelson, Smith. Total 6.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 92 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, East, Egan, Eklund, Eskildsen, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer. Total 73.

Noes: Boughton, Delano, Deschamps, Dye, Falkenstern, Felt, Harper, James, Jenkins, Lewis, Mather, McOmber, Nutting, Obstarczyk, Pierce, Selstad, Smith, Woodard, Mr. Speaker. Total 19.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 161 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 48.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Haines, James, Jenkins, Jensen, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Scherf, Schye, Selstad, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 43.

Absent or not voting: Smiley, Zimmer. Total 2.

Excused: Rygg. Total 1.

House Joint Resolution No. 38 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Deschamps, East, Egan, Eklund, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, James, Jenkins, Judge, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rehberg, Sartz, Schepens, Selstad, Sheehy, Shugrue, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Woodard, Zimmer, Mr. Speaker. Total 66.

Noes: Aasheim, Boughton, Cregg, Crum, Dye, Falkenstern, Felt, Garrison, Holtz, Jensen, Johnson, Laas, Leuthold, Pierce, Raundal, Slaby, Ulmer, Watt, Williams, Willits, Total 20.

Absent or not voting: Eskildsen, Loman, Mather, Scherf, Schye, Smiley, Smith. Total 7.

Excused: Rygg. Total 1.

Substitute for House Bill No. 495 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Sullivan, Williams. Total 2.

Absent or not voting: Bailey, Bollinger, Smiley. Total 3.

Excused: Rygg. Total 1.

House Bill No. 469 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 452 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Boughton, Broeder, Casey, Crum, Delano, Dye, Egan, Falkenstern, Felt, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Healy, James, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamer, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Rehberg, Schepens, Schye, Selstad, Sheehy, Shugrue, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Watt, Williams, Willits, Woodard, Total 55.

Noes: Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, East, Eklund, Eskildsen, Fischer, Flynn, Gill, Hanks, Harper, Holtz, Jenkins, Jensen, Johnson, Lewis, Mather, McNamara, McOmber, Nefzger, Prevost, Raundal, Sartz, Scherf, Slaby, Smith, Twedt, Ulmer, Zimmer. Total 36.

Absent or not voting: Smiley, Mr. Speaker. Total 2.

Excused: Rygg. Total 1.

House Bill No. 220 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan,

Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: Felt, Watt. Total 2.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 239 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 85.

Noes: Fischer, Flynn, Garrison, Schye, Smith, Zimmer. Total 6.

Absent or not voting: Nichols, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 421 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Felt, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, Meccage, Nefzger, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits. Total 59.

Noes: Asbjornson, Boughton, Broeder, Cerovski, Crum, Dye, East, Eskildsen, Falkenstern, Fischer, Garrison, Haines, Hanks, Holtz, James, Jenkins, Loman, Mather, McNamer, McOmber, Nelson, Nichols, Pierce, Raundal, Rehberg, Schye, Selstad, Smith, Spilde, Swanz, Woodard, Zimmer. Total 32.

Absent or not voting: Smiley, Mr. Speaker. Total 2.

Excused: Rygg. Total 1.

House Bill No. 189 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost,

Raundal, Rehberg, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 87.

Noes: Deschamps, Harper, Selstad, Mr. Speaker. Total 4.

Absent or not voting: Scherf, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 199 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 88.

Noes: Deschamps, Selstad, Sullivan, Mr. Speaker. Total 4.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 433 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Atkins, Gill, Jensen, Sullivan. Total 4.

Absent or not voting: Bardanouve, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 307 was passed by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 58.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Dye, East, Falkenstern, Felt, Garrison, Haines, James, Jenkins, Leuthold, Loman, Lucas, Lund, Mather, McNamer, Nichols, Nutting, Pierce, Rehberg, Schye, Selstad, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 32.

Absent or not voting: Bailey, Bollinger, Smiley. Total 3.

Excused: Rygg. Total 1.

House Bill No. 479 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 74.

Noes: Boughton, Dye, East, Falkenstern, Felt, Garrison, Gilligan, Hanks, James, Jenkins, Lucas, MacCalman, Rehberg, Selstad, Smith, Ulmer, Williams, Woodard. Total 18.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

Substitute for House Bill No. 496 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Eskildsen, Smith, Stranahan. Total 3.

Absent or not voting: Eklund, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 311 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lombardi, Lucas, Lund, MacCalman, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Swanz, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 65.

Noes: Aasheim, Bardanouve, Boughton, Cregg, Deschamps, East, Falkenstern, Gilligan, Hall, Hanks, Holtz, Lewis, Loman, Mather, Nutting, Schepens, Scherf, Smith, Stranahan, Sullivan, Tooke, Twedt, Zimmer. Total 23.

Absent or not voting: Crum, Dye, McDonald, Nefzger, Smiley. Total 5.

Excused: Rygg. Total 1.

House Bill No. 312 was passed by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines,

Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 67.

Noes: Aasheim, Bardanouve, Boughton, Brenner, Cregg, Deschamps, East, Eskildsen, Gilligan, Hall, Hanks, Holtz, Lewis, Loman, Mather, Schepens, Stranahan, Sullivan, Twedt, Zimmer. Total 20.

Absent or not voting: Crum, Dye, Nefzger, Nutting, Scherf, Smiley, Total 6.

Excused: Rygg. Total 1.

House Bill No. 326 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Deschamps, East, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 65.

Noes: Boughton, Crum, Delano, Dye, Falkenstern, Felt, Garrison, Haines, James, Jenkins, Loman, Lucas, Mather, Nichols, Nutting, Pierce, Rehberg, Schye, Selstad, Smith, Spilde, Tooke, Ulmer, Williams, Woodard. Total 25.

Absent or not voting: McNamer, Scherf, Smiley. Total 3.

Excused: Rygg. Total 1.

House Bill No. 188 was passed by the following vote:

Ayes: Bailey, Bardanouve, Bollinger, Broeder, Christiansen, Cregg, Delano, Deschamps, East, Eklund, Felt, Flynn, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Schye, Selstad, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 54.

Noes: Aasheim, Asbjornson, Atkins, Bashor, Boughton, Brenner, Casey, Cerovski, Crum, Cummings, Dye, Egan, Eskildsen, Flakenstern, Fischer, Garrison, Gerke, Gill, Harper, James, Leuthold, MacCalman, McOmber, Meccage, Nefzger, O'Hair, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Smith, Spilde, Williams, Woodard, Zimmer. Total 38.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

House Bill No. 278 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Dye, Egan, Eklund, Falkenstern, Felt, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage,

Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Schye, Selstad, Shugrue, Slaby, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 76.

Noes: Boughton, Cummings, Deschamps, East, Eskildsen, Flynn, Garrison, Harper, McOmber, Nefzger, O'Hair, Sheehy, Smith, Sullivan, Zimmer. Total 15.

Absent or not voting: Scherf, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 474 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Haines, Hanks, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 70.

Noes: Atkins, Bardanouve, Gerke, Hall, Healy, Johnson, Lombardi, McDonald, Obstarczyk, O'Leary, Sheehy, Shugrue, Willits. Total 13.

Paired: Rygg, aye; Tracy, no; Smiley, aye; Cregg, no.

Absent or not voting: Broeder, Gilligan, Gunderson, Harper, Holtz, Nefzger, Zimmer. Total 7.

Excused: None.

House Bill No. 369 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Scherf, Schye, Selstad, Swanz, Tooke, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 77.

Noes: Boughton, Eskildsen, Johnson, Raundal, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Tracy, Twedt, Williams. Total 14.

Absent or not voting: O'Hair, Smiley. Total 2.

Excused: Rygg. Total 1.

House Bill No. 238 was passed by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Dye, Eklund, Felt, Gerke, Gilfeather, Gunderson, Hall, Healy, Holtz, James, Judge, Leuthold, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Tooke, Ulmer, Watt, Willits, Woodard, Mr. Speaker. Total 47.

Noes: Asbjornson, Bardanouve, Boughton, Brenner, Cregg, Crum, Deschamps, East, Egan, Eskildsen, Falkenstern, Fischer, Flynn, Garrison,

Gill, Gilligan, Haines, Hanks, Harper, Jenkins, Jensen, Johnson, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, Nelson, Nutting, Raundal, Schye, Selstad, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Williams, Zimmer. Total 45.

Absent or not voting: Smiley. Total 1.

Excused: Rygg. Total 1.

Motion was made by Cerovski that the House recess for three minutes. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

House Bill No. 518, introduced by Judge, Gilfeather: A BILL FOR AN ACT ENTITLED: "AN ACT APPORTIONING THE LEGISLATIVE ASSEMBLY." Referred to Committee on Reapportionment.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Monday, February 15, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk

FORTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 15, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Nutting, Rygg, Woodward, Zimmer, excused:

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-second Legislative Day, find the same to be correct.

MESSAGES FROM THE SENATE

February 13, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 43, introduced by Hibbard and Cumming

Senate Bill No. 94, introduced by Reardon, et al

Senate Bill No. 109, introduced by Lehrkind, et al

Senate Bill No. 120, introduced by Siderius, et al

Senate Bill No. 143, introduced by Rieder

Senate Bill No. 150, introduced by Turnage, et al

Senate Bill No. 186, introduced by Kafka, et al

Senate Bill No. 190, introduced by Reardon

Senate Bill No. 202, introduced by MacDonald, et al

Senate Bill No. 221, introduced by Lehrkind and Manning

Senate Bill No. 225, introduced by MacDonald, et al

Senate Joint Resolution No. 15, introduced by MacDonald

Respectfully,

ALLEN DONOHUE

Secretary of the Senate

MOTIONS AND RESOLUTIONS

Sartz, having voted on the prevailing side, moved that the House reconsider its action on House Bill No. 312. Motion was lost.

Motion was made by Cerovski that the following House Bills be indefinitely postponed: House Bills Nos. 21, 51, 61, 79, 116, 217, 135, 165, 196, 200, 206, 221, 285, 353, 404, 406, 420, 422, 432, 466. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following Senate Bills were introduced, read first time, and referred to committees:

Senate Bill No. 43, introduced by Hibbard, Cumming: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to the Constitution of Montana by adding a new section to provide for the continuity of state and local governments in a period of emergency caused by enemy attack notwithstanding other constitutional provisions." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 94, introduced by Reardon, Hafferman, Kafka, Siderius, Davis, Huntley, Mahoney: A bill for an act entitled: "An act amending Section 92-701, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, and amending Section 92-702, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, and amending Section 92-703, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, and amending Section 92-704, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, and amending Section 92-709, Revised Codes of Montana, 1947, as last amended by Chapter 162, Laws of Montana, 1961, all relating to increases in workmen's compensation and benefits for temporary total, permanent total, or partial disabilities, injury causing death, and specified injuries; and length of time for benefits for injuries causing death; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Labor and Compensation.

Senate Bill No. 109, introduced by Lehrkind, Dussault, Groff, Brenner, Hilling, Cotton: A bill for an act entitled: "An act relating to the acquisition, erection, equipment, enlargement and improvement of housing and other revenue-producing facilities at units of the University of Montana, and the borrowing of funds therefor by the regents by the issuance and sale of negotiable bonds and other securities and the making of purchases on time, payable solely from net income from rents and board, receipts

from charges, admissions or fees for the facilities, and gifts, contributions and grants of funds, without obligating the state of Montana or using state funds except as provided, and the provision of security for such borrowing, and the refunding of outstanding obligations; amending Sections 75-216, R. C. M. 1947, enacted as Section 1, Chapter 252, Laws of 1963; 75-218, R. C. M. 1947, enacted as Section 3, Chapter 252, Laws of 1963; and providing an effective date." Referred to Committee on Education.

Senate Bill No. 120, introduced by Siderius, McDonald, Hafferman, McKenna, Kafka, Reardon, Davis: A bill for an act entitled: "An act to amend Section 87-117, Revised Codes of Montana, 1947, increasing members and establishing qualifications for members of the Unemployment Compensation Commission and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 143, introduced by Rieder: A bill for an act entitled: "An act to amend Section 75-4230, R. C. M. 1947, as amended by Chapters 21, 162 and 267, Session Laws of Montana, 1963, authorizing the attendance of high school pupils at high schools outside of the county of their residence either within or without the state upon approval of the County Superintendent of Schools; providing for the procedures relative thereto and excepting high school pupils where bus transportation is provided within one (1) mile of the pupil's residence; and providing for an effective date." Referred to Committee on Education.

Senate Bill No. 150, introduced by Turnage, Dussault, Groff: A bill for an act entitled: "An act pertaining to the State Milk Control Board; defining the powers of the State Milk Control Board to fix distributor and dealer milk prices; changing the definition of milk; safeguarding the use of manufacturing milk; providing for the protection of producer payments while official orders are under appeal; and amending Sections 27-401, 27-402, 27-403, 27-405, 27-406, 27-407, 27-414, 27-418, and 27-428, R. C. M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 186, introduced by Kafka, Reardon, Mathers, Siderius, Killenbeck, Cotton, Thiessen, Harris, Edwards, Groff, Michels, Davis: A bill for an act entitled: "An act for the submission to the qualified electors of the state of Montana an amendment to Section 5 of Article XIII of the Constitution of the state of Montana relating to the amount which a county can become indebted without approval of a majority of the electors thereof." Referred to Committee on Townships and Counties.

Senate Bill No. 190, introduced by Reardon: A bill for an act entitled: "An act to amend Chapter 44 of Title 16, R. C. M. 1947, as amended, by adding Sections 16-4414 to 16-4418, both inclusive, R. C. M. 1947, relating to metropolitan sanitary and/or storm sewer districts; changes in the boundaries thereof; definition of an act defining what is an area polluting a water course; the establishment of rates, charges and rentals for the services and benefits of systems constructed by such districts, to provide for the operation and maintenance of such systems and for deficiencies in bond and interest accounts of district funds; the creation of reserve funds to provide for such deficiencies; and the validation of actions and proceedings heretofore taken in the establishment of such districts; providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 202, introduced by McDonald, Huntley, Kafka, Cotton, Mahoney, Thiessen, Dussault, Michels: A bill for an act entitled: "An act to amend Sections 14-502, 14-503, and 14-530, R. C. M., 1947, to define the purpose for which a cooperative corporation may be organized, the powers of such a corporation, and to define 'rural areas.'" Referred to Committee on Judiciary.

Senate Bill No. 221, introduced by Lehrkind, Manning: A bill for an act entitled: "An act to provide that state banks shall not be required to

pay Montana corporation license tax until and unless said tax is required to be paid by national banks." Referred to Committee on Ways and Means.

Senate Bill No. 225, introduced by MacDonald, Moritz, Manning: A bill for an act entitled: "An act relating to the registration of electors; to require the county clerk of each county to prepare a list of all persons residing in the county who have reached voting age since the last general election; and amending Sections 23-502, 23-503, 23-505 and 23-511, R. C. M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 15, introduced by MacDonald: A Joint Resolution of the Senate and the House of Representatives consenting to a capital construction program. Referred to Committee on Appropriations.

Motion was made by Cerovski that the House recess until 2:30 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 22, respectfully report as follows: That Senate Bill No. 22 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 57, respectfully report as follows: That Senate Bill No. 57 be amended as follows:

On page 3, line 12 of the original bill, being page 3, line 39 of the printed bill, delete the word "means" and insert in lieu thereof the word "includes".

On page 9, line 30 of the original bill, being Section 13, line 1 of the printed bill, add a new Section 13 to read "Section 13. No person shall be denied the use in a professional or other capacity, or be subjected to discrimination on the grounds of race, color or national origin, of any facility constructed in whole or in part under the provisions of this act."

And renumber the present Sections 13 and 14 accordingly.

And as amended, be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58 be amended as follows:

On line 1, page 2 of the original bill, being page 2, line 13 of the printed bill, delete the word "means" and insert in lieu thereof the word "includes".

And as amended, be concurred in.

ESKILDSEN, Chairman

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

ESKILDSEN, Chairman

Report adopted.

MESSAGES FROM THE SENATE

February 8, 1965

The Honorable Ray J. Wayrynen, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana

Dear Mr. Speaker:

The Arizona State Legislature enacted House Concurrent Memorial 1, a copy of which is attached, which requests the Congress of the United States to convene a constitutional convention to propose an amendment to the Constitution which would permit one body of the state legislature to apportion its membership on a basis other than population. This Memorial was signed by the Governor of Arizona on January 29, 1965, and has been transmitted to the Congress of the United States.

The Seventeenth Biennial General Assembly of the States, held in Chicago on December 2 and 3, 1964, strongly urged all of the states to enact this Memorial as quickly as possible in order to impress on the Congress the concern of the states for the preservation of state rights.

If your state has not already taken action towards enactment of the Memorial recommended by the General Assembly of the states, it would be my recommendation that enactment of such Memorial be given early consideration.

Sincerely,

Clarence L. Carpenter /s/
Clarence L. Carpenter

CLC:sp
Enc.

The following Memorial was read as length by the Chief Clerk:

STATE OF ARIZONA

Phoenix, Arizona

Twenty-seventh Legislature

A CONCURRENT MEMORIAL

WHEREAS, the Supreme Court of the United States has ruled that membership in both houses of a bicameral state legislature must be apportioned according to population and has thus asserted federal judicial authority over the basic structure of government in the various states; and

WHEREAS, this rule denies to the people of the respective states the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

WHEREAS, this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective states to designate the manner in which they shall be represented in their respective legislatures thereby depriving the people of their right to determine how they shall be governed; and

WHEREAS, the implications of this action by the Supreme Court raise serious doubts as to the legality of the present form of the governing bodies of many subordinate units of government within the states.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Congress of the United States convene a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States, as follows:

ARTICLE. . . .

“Section 1. Nothing in this Constitution shall prohibit any state which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that state.

“Section 2. Nothing in this Constitution shall restrict or limit a state in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

“Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the states by the Congress.”

BE IT FURTHER RESOLVED that if Congress shall have proposed an amendment to the Constitution identical with that contained in this memorial prior to June 1, 1965, this application for a convention shall no longer be of any force or effect.

BE IT FURTHER RESOLVED that a duly attested copy of this memorial be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

Andrew J. Gilbert
Speaker, House of Representatives

Ruby H. Sanders
Chief Clerk, House of Representatives

Clarence L. Carpenter,
President of the Senate.

Louise C. Brimhall,
Secretary of the Senate.

Samuel Goddard,
Governor of Arizona.

Signed: January 29, 1965.

UNFINISHED BUSINESS

Motion was made by McNamara that the subcommittee working on the High School Association problem be granted an additional seven days.

Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Tuesday, February 16, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 16, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Gilligan, Nutting, Sheehy, Williams, Woodard, excused; and O'Leary.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-third Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 72, respectfully report as follows: That Senate Bill No. 72 be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 61, respectfully report as follows: That Senate Bill No. 61 be amended as follows:

1. Amend page 1, line 20 of the original bill by deleting the "period" after the word "thereafter" and inserting a "comma" in lieu thereof.

And as amended, be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 67, respectfully report as follows: That Senate Bill No. 67 be concurred in.

JUDGE, Chairman.

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 22 be concurred in.

That Senate Bill No. 57 be concurred in.

That Senate Bill No. 58 be concurred in.

That Senate Bill No. 39 be concurred in.

That the committee rise and report.

ESKILDSSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 10, introduced by Aasheim, Leuthold, Hanks, Eskildsen, Harper: A Resolution of the House of Representatives of the State of Montana urging the Great Northern Railway, Northern Pacific Railway, and Chicago, Milwaukee, St. Paul and Pacific Railroad to establish a reduced rate on Montana wheat shipped to west coast ports for export. Referred to Committee on Business and Industry.

Motion was made by Cerovski that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

February 15, 1965

Honorable Ted James,
President of the Montana Senate, and
Honorable Ray J. Wayrynen,
Speaker of the Montana House of Representatives,
Capitol,
Helena, Montana.

Gentlemen:

Please be advised that in accordance with the express directions of your honorable bodies, copies of House Joint Resolution No. 14 have this day been sent to:

The Honorable Lyndon B. Johnson
President of the United States

The Honorable Orville L. Freeman
Secretary of Agriculture

The Honorable Mike Mansfield

The Honorable Lee Metcalf
Senators from Montana

The Honorable Arnold Olsen

The Honorable James F. Battin
Representatives from Montana.

Also, please be advised that in accordance with your directions, copy of Senate Joint Resolution No. 1 has this day been sent to:

Eugene C. Tidball, Executive Director Legislative Council.

Sincerely yours,

FRANK MURRAY,
Secretary of State.

MESSAGES FROM THE SENATE

February 16, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and are herewith returned to the House:

House Bill No. 104, introduced by Leuthold, et al.

House Bill No. 118, introduced by Schepens and Hall.

House Bill No. 149, introduced by Bardanouve and Lucas.

House Bill No. 152, introduced by Shugrue, et al.

House Bill No. 237, introduced by Ways and Means Committee.

House Bill No. 254, introduced by McNamara, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 16, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 157, introduced by Flynn and Hanks.

House Bill No. 262, introduced by Schepens, et al.

House Bill No. 265, introduced by Gill, et al.

House Bill No. 308, introduced by Sheehy.

House Bill No. 371, introduced by Twedt, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendment to House Bill No. 157 be placed at the bottom of the list.

That Senate Amendment to House Bill No. 262 be concurred in.

That Senate Amendment to House Bill No. 265 be concurred in.

That Senate Amendments to House Bill No. 308 be concurred in.

That Senate Amendments to House Bill No. 371 be concurred in.

That Senate Amendments to House Bill No. 157 be concurred in.

That the committee rise and report.

ESKILDSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendment to House Bill No. 262 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Aasheim, O'Leary. Total 2.

Excused: Gilligan, Nutting, Raundal, Sheehy, Slaby, Williams, Woodard. Total 7.

Senate Amendment to House Bill No. 265 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Aasheim, O'Leary, Raundal. Total 3.

Excused: Gilligan, Nutting, Sheehy, Slaby, Williams, Woodard. Total 6.

Senate amendments to House Bill No. 308 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leu-

thold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 82.

Noes: Deschamps, Stranahan. Total 2.

Absent or not voting: Aasheim, Bollinger, O'Leary, Raundal. Total 4.

Excused: Gilligan, Nutting, Sheehy, Slaby, Williams, Woodard. Total 6.

Senate Amendments to House Bill No. 371 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Aasheim, Garrison, O'Leary, Zimmer. Total 4.

Excused: Gilligan, Nutting, Sheehy, Slaby, Williams, Woodard. Total 6.

Senate Amendments to House Bill No. 157 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 83.

Noes: Cregg, Hanks. Total 2.

Absent or not voting: Aasheim, O'Leary, Zimmer. Total 3.

Excused: Gilligan, Nutting, Sheehy, Slaby, Williams, Woodard. Total 6.

Motion was made by Cerovski that the House revert to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 23, respectfully report as follows: That Senate Bill No. 23 be concurred in.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 56, respectfully report as follows: That Senate Bill No. 56 be concurred in.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Affairs of Cities, having had under consideration Senate Bill No. 89, respectfully report as follows: That Senate Bill No. 89 be concurred in.

TRACY, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 11:00 a. m. Wednesday, February 17, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FORTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 17, 1965

House convened, pursuant to adjournment, at 11:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Deschamps, Nutting, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-fourth Legislative Day, find the same to be correct.

ESKILDSSEN, Vice-Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 198, respectfully report as follows: That Senate Bill No. 198 be concurred in.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 199, respectfully report as follows: That Senate Bill No. 199 be concurred in.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 169, respectfully report as follows: That Senate Bill No. 169 be concurred in.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 97, respectfully report as follows: That Senate Bill No. 97 be amended as follows:

Page 1, line 12 in the title of the original bill strike "semicolon" and add "period and quote".

And further, page 1, lines 12 and 13 in the title of the original bill, strike the words "and providing an effective date."

And further amend page 3, line 10, strike all of "Section 3".

And as amended, be concurred in.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 49, respectfully report as follows: That Senate Bill No. 49 be concurred in.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 10, respectfully report as follows: That Senate Joint Resolution No. 10 be concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 36, respectfully report as follows: That Senate Bill No. 36 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 69, respectfully report as follows: That Senate Bill No. 69 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 16, respectfully report as follows: That Senate Bill No. 16 be concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 223, respectfully report as follows: That Senate Bill No. 223 be not concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration Senate Joint Resolution No. 11, respectively report as follows: That Senate Joint Resolution No. 11 be concurred in.

HANKS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 16, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on February 16, 1965 the Senate Committee on Rules having had under consideration the question of acceptance by the Senate for consideration, House Bill No. 474, by Cerovski, reported that House Bill No. 474 contained substantially the same material designed to accomplish essentially

the same purpose as Senate Bill No. 141, previously killed by the Senate by adoption of an adverse committee report, and therefore, in accordance with joint rule 6-11 House Bill No. 474 could not be received for consideration by the Senate. Report adopted and the bill is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 16, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate adopted a substitute motion to indefinitely postpone further consideration of House Bill No. 482, introduced by Stranahan, Schye, and Sullivan, and the bill is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 17, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 157, 262, 265, 308, and 371.

HARPER, Chairman.

February 17, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 104, 118, 149, 152, 254, and 237.

HARPER, Chairman.

I have examined House Bill No. 262 introduced by me and find the same to be correct.

SCHEPENS.

I have examined House Bill No. 371 introduced by me and find the same to be correct.

TWEDT.

I have examined House Bill No. 157 introduced by me and find the same to be correct.

FLYNN.

I have examined House Bill No. 265 introduced by me and find the same to be correct.

GILL.

I have examined House Bill No. 308 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 104 introduced by me and find the same to be correct.

LEUTHOLD.

I have examined House Bill No. 254 introduced by me and find the same to be correct.

McNAMARA.

I have examined House Bill No. 149 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 118 introduced by me and find the same to be correct.

SCHEPENS.

I have examined House Bill No. 152 introduced by me and find the same to be correct.

SHUGRUE.

I have examined House Bill No. 237 introduced by me and find the same to be correct.

HEALY.

The Speaker signed the following bills in open sessions, the titles having first been read: House Bills Nos. 337, 152, 262, 371, 157, 265, 308, 118, 104, 149 and 254.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Sheehy of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 54 be concurred in.

That Senate Bill No. 72 be concurred in.

That Senate Bill No. 61 be concurred in.

That consideration of Senate Bill No. 67 be passed for the day.

That Senate Bill No. 23 be not concurred in.

That Senate Bill No. 56 be concurred in.

That Senate Bill No. 89 be concurred in.

That the committee rise and report.

SHEEHY, Chairman.

Motion was made by Sheehy for adoption of the Committee report.

Substitute motion was made by Delano that Senate Bill No. 23 be segregated from the Committee of the Whole report with a request that a roll call vote be taken with the ayes and nays spread on the Journal. After debate, Pierce moved the previous question. Motion carried. Roll call vote was taken and the substitute motion carried by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cregg, Crum, Delano, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, O'Leary, Pierce, Raundal, Rehberg, Rygg, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard. Total 74.

Noes: Aasheim, Brenner, Cerovski, Christiansen, Cummings, Eskildsen, Flynn, Harper, Nefzger, O'Hair, Prevost, Sartz, Schepens, Sullivan, Williams. Total 15.

Absent or not voting: Obstarczyk, Zimmer, Mr. Speaker. Total 3.

Excused: Deschamps, Nutting. Total 2.

Motion was made by Sheehy that the Committee of the Whole report be adopted as amended. Motion carried.

Motion was made by Cerovski that the House pass Order of Business No. 9 for this sitting. Motion carried.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 33, respectfully report as follows: That Senate Bill No. 33 be concurred in.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 12, respectfully report as follows: That Senate Joint Resolution No. 12 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 3, respectfully report as follows: That Senate Joint Resolution No. 3 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 133, respectfully report as follows: That Senate Bill No. 133 be concurred in.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be concurred in.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 131, respectfully report as follows: That Senate Bill No. 131 be amended as follows:

Be amended by striking on page 4, line 1 of Section 3 of the printed bill the following: "57-713" and inserting in lieu thereof: "53-713" and

Be further amended by striking on page 4, line 3 of Section 3 of the printed bill the following: "57-713" and inserting in lieu thereof: "53-713", and

As amended, be concurred in.

LAAS, Chairman.

Report adopted.

Motion was made by Bashor that the amendments to Senate Bill No. 17 be considered as having been read in full. Motion carried.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be amended as follows:

Amend by striking after the enacting clause in their entirety Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, on pages 1, 2, 3, 4, and 5 of the original bill, being Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, on pages 1, 2, 3, 4, 5, and 6 of the printed bill and inserting in lieu thereof the following:

Section 1. The purpose of this act is: (1) to prevent the distraction of motorists.

(2) to enhance scenic beauty along roads.

Section 2. As used in this act unless the context otherwise requires.

(1) "Road" means a county, state, federal or limited access highway including bridges and bridge approaches.

(2) "Junkyard" means a place where 5 or more junked, wrecked or non-operative automobiles, vehicles, machines and other similar scrap or salvage materials are located.

(3) "Operator or operators" means a person, firm or corporation who operates a junkyard, or who allows a junkyard to be placed or to remain on premises owned or controlled by him.

(4) "Person" means an individual, firm, agency, company, association, partnership, business trust, joint stock company or corporation.

(5) "Sheriff" means a sheriff of the county wherein the junkyard is situated.

(6) "Deputy sheriff" means a person appointed by the sheriff.

(7) "Permit" means the document which allows a person to operate a junkyard under this act.

Section 3. No person shall operate a junkyard which is closer than 2,000 feet to the centerline of a road unless a permit is obtained from the sheriff. The operation of such a junkyard without a permit is declared to be a public nuisance.

Section 4. (1) The sheriff may require screening of a junkyard when:

(a) it is within 2,000 feet of the centerline of a road;

(b) it is not hidden from the view of motorists using the road by an artificial or natural screen or by natural topography.

(2) The Sheriff shall issue a permit in accordance with his rules and regulations:

(a) after the required screening is done, or

(b) when the junkyard is hidden from the view of motorists using the road by an artificial or natural screen or by natural topography.

(3) The screening required may be effected:

(a) by the construction of a fence, or

(b) by plants, shrubs, trees, or flowering plants which provide a suitable and sufficient screen, or

(c) by making use of existing foliage.

(4) The required screening must be installed within six (6) months after the effective date of this act and must be at least eight (8) feet in height and be maintained (i.e., painted, rebuilt, etc.) thereafter.

Section 5. The Sheriff shall charge a fee of fifty dollars (\$50.00) for the issuance of a permit. A permit shall be effective for a two-year period. Fees collected shall be deposited with the county treasurer to the credit of the general fund.

Section 6. When the Sheriff has reasonable cause to doubt the financial responsibility of an operator or his compliance with this act, the Sheriff may require him to furnish and maintain a bond. In each case, he shall approve a form, amount, and the sureties. The bond shall be no less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00), conditioned upon the operator complying with the provisions of this act and the regulations adopted pursuant to it.

Section 7. When the Sheriff finds compliance with this act would cause peculiar or exceptional hardship to an operator the junkyard may be maintained for a period of two (2) years following the effective date of this act. However, it may not be expended in any manner.

Section 8. The Sheriff has the power to:

(1) Exercise general supervision of the administration and enforcement of this act.

(2) Adopt after a hearing rules and regulations concerning the operation of junkyards which the Sheriff deems necessary to the administration and enforcement of this act.

(3) Adopt without a hearing rules and regulations concerning material, foliage and screening which will insure accomplishment of the purposes of this act.

(4) Adopt without hearing rules and regulations concerning the procedural aspects of hearings, and detail necessary to the enforcement and administration of this act.

(5) Issue after a hearing:

(a) orders abating the operation of a junkyard which violates this act, or

(b) orders which require adoption of remedial measures including construction or planting of screens or the utilization of natural screening, extension, modification or addition to new or existing screens.

(6) Issue, renew, revoke, modify or deny permits for the operation of a junkyard.

(7) Make investigations or inspections which are deemed necessary by the Sheriff:

(a) to insure compliance with the provisions of this act,

(b) to insure compliance with rules, regulations or orders of the board which are deemed necessary to the administration and enforcement of this act.

(8) Institute in a court of competent jurisdiction procedures to compel compliance with the provisions of this act or with the orders, rules and regulations issued pursuant to it.

(9) Enter at a reasonable time through an officer, assistant, agent or employee public or private property for the purpose of inspection of conditions relating to the operation of a junkyard.

Section 9. (1) Public hearings shall be conducted by the Sheriff:

(a) prior to the adoption of rules or regulations which concern the prevention, abatement or control of junkyards;

(b) before the issuance of an order prohibiting an act or acts deemed in contravention of any rules, regulations, orders or permits of the Sheriff;

(c) before denial, revocation or modifications of a permit provided for by this act;

(d) before any other final determination is made by the Sheriff which directly affects the activities of a person.

(2) The Sheriff shall grant a hearing to a person:

(a) who has not been heard in connection with issuance of an order or the making of a determination, and

(b) who considers himself aggrieved by an order or determination and

(c) who shall file with the Sheriff a petition. The petition shall explain briefly why an order or determination is contrary to law or is injurious to him, and request a hearing. At a hearing the petitioner may appear in person or by attorney, may submit evidence, and shall be given the opportunity to be heard.

(3) Hearings provided for in this act may be conducted by the Sheriff Deputy Sheriff designated by him in the name of the Sheriff at a time and place specified by the Sheriff.

Section 10. At an administrative hearing the Sheriff or a Deputy Sheriff designated by him to hold the hearing may:

(a) administer oaths

(b) examine witnesses and

(c) issue in the name of the Sheriff notices of hearings and subpoenas to witnesses and for production of evidence relevant to any matter involved in the hearing.

Section 11. (1) Within fifteen (15) days of the mailing of notice of the final decision of the Sheriff, a person who has petitioned for a hearing may appeal from the decision.

(2) Appeal will be made to the District Court of the county in which the junkyard is located.

(3) The court shall set the matter for hearing upon thirty (30) days' written notice to the Sheriff and petitioner. At the hearing, the court shall take testimony, examine the facts of the case, and determine whether the petitioner is entitled to relief.

And as amended, be concurred in.

BASHOR, Chairman.

Report adopted.

February 17, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 237, 152, 308, 265, 157, 371, 262, 118, 104, 149, and 254 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:45 o'clock, a.m., delivered to the Governor for his approval.

HARPER, Chairman.

MESSAGES FROM THE GOVERNOR

February 17, 1965 at 11:45 a. m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 237, 152, 308, 265, 157, 371, 262, 118, 104, 149 and 254.

TIM BABCOCK, Governor,

By Jeanie Morris.

MESSAGES FROM THE SENATE

February 17, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills failed to be concurred in on third reading this day and the same are herewith returned to the House:

House Bill No. 164, introduced by Aasheim, et al.

House Bill No. 321, introduced by Wayrynen and Fischer.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 17, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and are herewith returned to the House:

House Bill No. 179, introduced by Willits, et al.

House Bill No. 203, introduced by Selstad, et al.

House Bill No. 409, introduced by Flynn (by request).

House Joint Resolution No. 15, introduced by Bailey, et al.

House Joint Resolution No. 17, introduced by Hanks and Haines.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 17, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 86, introduced by Nutting, et al.

House Bill No. 171, introduced by Hanks and Nichols.

House Bill No. 181, introduced by McNamer and Sheehy.

House Bill No. 182, introduced by McNamer and Sheehy.

House Bill No. 183, introduced by McNamer and Sheehy.

House Bill No. 184, introduced by McNamer and Sheehy.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Twedt that House Bill No. 138 be taken from the Committee on Townships and Counties, and rereferred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

Motion was made by Twedt that House Bill No. 186 be taken from the Committee on Townships and Counties, and rereferred to the Committee on Constitution, Elections and Federal Relations. Motion carried.

Motion was made by Eskildsen that Senate Bill No. 39 be taken from Third Reading and rereferred to the Committee on State Administration. Motion carried.

Motion was made by Cerovski that the House revert to Order of Business No. 5. Motion carried.

MESSAGES FROM THE SENATE

February 17, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 164, introduced by Aasheim, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House assent to the request of the Senate that House Bill No. 164 be returned to the Senate for further consideration. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Gerke of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 23 be concurred in.

That Senate Bill No. 198 be concurred in.

That Senate Bill No. 199 be concurred in.

That Senate Bill No. 169 be concurred in.

That Senate Bill No. 49 be concurred in.

That Senate Bill No. 36 be concurred in.

That Senate Bill No. 69 be amended in Section 1, line 28 of the original bill by striking out the period and quotation marks and adding thereto the words "afflicted with pulmonary disorders and patients who are residents of another state institution."

And as so amended, be concurred in.

That Senate Bill No. 16 be concurred in.

That Senate Joint Resolution No. 11 be concurred in.

That the committee rise and report.

GERKE, Chairman.

Motion was made by Gerke that the committee report be adopted.

Substitute motion was made by Harper that Senate Joint Resolution No. 11 be segregated from the Committee of the Whole report, and that the report be adopted as amended. Substitute motion carried.

Motion was made by Cerovski that the House revert to Order of Business No. 5. Motion carried.

MESSAGES FROM THE SENATE

February 17, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 321, introduced by Wayrynen and Fischer.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House assent to the request of the Senate to return House Bill No. 321 to the Senate for further consideration. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 22 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Absent or not voting: Loman, McNamer, Obstarczyk, Rehberg, Schye. Total 6.

Excused: Deschamps, Judge, Sheehy. Total 3.

Senate Bill No. 57 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leu-

thold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Boughton, Smith. Total 2.

Absent or not voting: Crum, Loman, McNamer, Obstarczyk, Raundal, Rehberg, Schye. Total 7.

Excused: Deschamps, Judge, Sheehy. Total 3.

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Boughton. Total 1.

Absent or not voting: Crum, Loman, McNamer, Obstarczyk, Raundal, Rehberg, Schye, Smith. Total 8.

Excused: Deschamps, Judge, Sheehy. Total 3.

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Dye, Garrison, Smith. Total 3.

Absent or not voting: Loman, McNamer, Obstarczyk, Raundal, Rehberg, Schye. Total 6.

Excused: Deschamps, Judge, Sheehy. Total 3.

Senate Bill No. 72 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 67.

Noes: Asbjornson, Boughton, Brenner, Cregg, Crum, Dye, East, Falkenstern, Garrison, Jenkins, Jensen, Pierce, Smiley, Smith, Spilde, Stranahan, Swanz, Woodard. Total 18.

Absent or not voting: Loman, McNamer, Obstarczyk, Raundal, Rehberg, Schye. Total 6.

Excused: Deschamps, Judge, Sheehy. Total 3.

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 79.

Noes: Bardanouve, Johnson, Slaby, Stranahan, Tracy, Twedt. Total 6.

Absent or not voting: Loman, McNamer, Obstarczyk, Raundal, Rehberg, Schye. Total 6.

Excused: Deschamps, Judge, Sheehy. Total 3.

Senate Bill No. 56 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 78.

Noes: Broeder, East, Harper, O'Hair, Swanz. Total 5.

Absent or not voting: Eskildsen, Loman, McNamer, Obstarczyk, Raundal, Rehberg, Schye, Zimmer. Total 8.

Excused: Deschamps, Judge, Sheehy. Total 3.

Senate Bill No. 89 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Prevost, Rygg, Sartz, Schepens, Selstad, Shugrue, Slaby, Smiley, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 73.

Noes: Asbjornson, Boughton, Crum, Felt, James, Lucas, Pierce, Rehberg, Scherf, Smith, Spilde, Stranahan, Woodard. Total 13.

Absent or not voting: Loman, McNamer, Obstarczyk, Raundal, Schye. Total 5.

Excused: Deschamps, Judge, Sheehy. Total 3.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Thursday, February 18, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FORTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 18, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-fifth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

COMMUNICATIONS AND PETITIONS

Due to a clerical error the following bills were voted on third reading for the second time so as to be in accordance with the rules of the 39th Legislative Session:

Senate Bill No. 54.

Senate Bill No. 72.

Senate Bill No. 61.

Senate Bill No. 56.

Senate Bill No. 89.

Votes taken on these bills on the 45th Legislative Day are invalid but will be shown as taken on third reading on the Forty-fifth Legislative Day.

The official vote for Senate Bill No. 54, Senate Bill No. 72, Senate Bill No. 61 and Senate Bill No. 56 will be the vote taken on the Forty-sixth Legislative Day on third reading. The Chief Clerk will assume all responsibility for this clerical error.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee.

House Resolution No. 11, introduced by Slaby, Harper, Willits, Lucas, Swanz, Smiley: A Resolution of the House of Representatives of the State of Montana urging Congressional action to help reduce transportation costs through encouragement of competition. Referred to Committee on Business and Industry.

Motion was made by Cerovski that House Bill No. 69 be taken from Third Reading and rereferred to Committee on Public Health, Welfare and Safety. Motion carried.

Motion was made by Pierce that House Bill No. 132 be held on Second Reading until it can be considered with House Bill No. 131. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Lombardi of Silver Bow in the Chair. Committee arose.

House resumed. Speaker Pro-tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 67 be concurred in.

That Senate Joint Resolution No. 11 be amended as follows:

Amend by striking out in line 42, page 3 of the printed bill after the word "Send", the word "Copies", and inserting in lieu thereof the words "a certified mimeographed copy"

And as so amended, be concurred in.

That Senate Bill No. 33 be concurred in.

That Senate Joint Resolution No. 12 be placed at the end of the list.

That Senate Joint Resolution No. 3 be concurred in.

That Senate Bill No. 133 be concurred in.

That Senate Bill No. 97 be concurred in.

That Senate Bill No. 17 be passed for the day.

That Senate Joint Resolution No. 12 be concurred in.

That the Committee rise and report.

LOMBARDI, Chairman.

Report adopted.

THIRD READING OF SENATE BILLS

The following Senate Bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstein, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Watt, Willits, Woodard, Zimmer. Total 81.

Noes: Dye, Garrison, Smith, Tracy. Total 4.

Absent or not voting: Boughton, Felt, Hanks, Laas, Raundal, Sheehy, Twedt, Williams, Mr. Speaker. Total 9.

Excused: None.

Senate Bill No. 72 was concurred in by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Christiansen, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Sullivan, Tooke, Tracy, Ulmer, Watt, Willits, Zimmer. Total 67.

Noes: Asbjornson, Atkins, Broeder, Cerovski, Cregg, Crum, Dye, East, Falkenstern, Garrison, Hanks, Jenkins, Jensen, Smiley, Smith, Spilde, Stranahan, Swanz, Woodard. Total 19.

Absent or not voting: Boughton, Felt, Laas, Raundal, Sheehy, Twedt, Williams, Mr. Speaker. Total 8.

Excused: None.

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Bardanouve, Flynn, Johnson, Slaby, Stranahan, Tracy. Total 6.

Absent or not voting: Boughton, Felt, Laas, Raundal, Sheehy. Total 5.

Excused: None.

Senate Bill No. 56 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Wilits, Woodard, Mr. Speaker. Total 82.

Noes: Boughton, Broeder, Harper, O'Hair, Smith, Swanz. Total 6.

Absent or not voting: East, Eskildsen, Laas, Raundal, Sheehy, Zimmer. Total 6.

Excused: None.

Senate Bill No. 89 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer,

Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rygg, Sartz, Schepens, Selstad, Shugrue, Slaby, Smiley, Smith, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 76.

Noes: Asbjornson, Boughton, Crum, Felt, James, Lucas, Pierce, Rehberg, Scherf, Schye, Spilde, Stranahan, Swanz, Williams, Woodard, Total 15.

Absent or not voting: Laas, Raundal, Sheehy. Total 3.

Excused: None.

Senate Bill No. 23 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, McOmer, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 81.

Noes: Aasheim, Boughton, Felt, Harper, Mather, Nefzger, Sullivan. Total 7.

Absent or not voting: Crum, Eskildsen, Laas, Raundal, Sheehy, Zimmer. Total 6.

Excused: None.

Senate Bill No. 198 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Crum, Laas, McNamer, Raundal, Sheehy. Total 5.

Excused: None.

Senate Bill No. 199 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmer, Meccage, Nefzger, Nel-

son, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Crum, Laas, McNamer, Raundal, Sheehy. Total 5.

Excused: None.

Senate Bill No. 169 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Mr. Speaker. Total 81.

Noes: Garrison, Harper, McOmber, Smith, Williams. Total 5.

Absent or not voting: Bollinger, Crum, Eskildsen, Laas, McNamer, Raundal, Sheehy, Zimmer. Total 8.

Excused: None.

Senate Bill No. 49 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Atkins. Total 1.

Absent or not voting: Bashor, Crum, Laas, McNamer, Nichols, Raundal, Sheehy. Total 7.

Excused: None.

Senate Bill No. 36 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Garrison, Smith, Williams, Total 3.

Absent or not voting: Crum, McNamer, Raundal, Sheehy. Total 4.

Excused: None.

Senate Bill No. 16 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 79.

Noes: Boughton, Broeder, Casey, Felt, James, Lucas, Rehberg, Schye, Selstad, Shugrue, Smiley. Total 11.

Absent or not voting: Crum, McNamer, Raundal, Sheehy. Total 4.

Excused: None.

February 18, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 409, 203, and 179.

HARPER, Chairman.

I have examined House Bill No. 179 introduced by me and find the same to be correct.

WILLITS.

I have examined House Bill No. 409 introduced by me and find the same to be correct.

FLYNN.

I have examined House Bill No 203 introduced by me and find the same to be correct.

SELSTAD.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 179, 409, 203.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

February 18, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 15 and 17.

HARPER, Chairman.

I have examined House Joint Resolution No. 15 introduced by me and find the same to be correct.

BAILEY.

I have examined House Joint Resolution No. 17 introduced by me and find the same to be correct.

HANKS.

The Speaker signed the following in open session: House Joint Resolutions Nos. 15 and 17.

REPORTS OF STANDING COMMITTEES

February 18, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 409, 203, 179, and House Joint Resolutions Nos. 15 and 17, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:15 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 93, respectfully report as follows: That Senate Bill No. 93 be concurred in.

TRACY, Chairman.

Report adopted

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration Senate Bill No. 135, respectfully report as follows: That Senate Bill No. 135 be concurred in.

BRENNER, Chairman.

Report adopted.

Mr. Speaker: We your Committee on Livestock and Ranges, having had under consideration Senate Bill No. 126, respectfully report as follows: That Senate Bill No. 126 be concurred in.

BRENNER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Ranges, having had under consideration Senate Bill No. 102, respectfully report as follows: That Senate Bill No. 102 be concurred in.

BRENNER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 13, respectfully report as follows: That Senate Joint Resolution No. 13 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 11, respectfully report as follows: That Senate Bill No. 11 be concurred in and be referred to Committee on Constitution, Elections and Federal Relations.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 62, respectfully report as follows: That Senate Bill No. 62 be concurred in.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 134, respectfully report as follows: That Senate Bill No. 134 be concurred in.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 94, respectfully report as follows: That Senate Bill No. 94 be concurred in.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 98, respectfully report as follows: That Senate Bill No. 98 be not concurred in.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 187, respectfully report as follows: That Senate Bill No. 187 be concurred in.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 77, respectfully report as follows: That Senate Bill No. 77 be amended as follows:

Amend Section 1 by striking out in line 14, page 2 of the printed bill the punctuation and words “, or order payments to be made” and further amend Section 1 by striking out in lines 25, 26, 27 and 28 on page 2 of the printed bill and punctuation and words “In addition to other remedies, the claimant may compel payments herein provided by mandamus in the district court, and the court may, in addition to other relief, award to the party aggrieved, attorney fees to be taxed as a part of costs.”

And as amended, be concurred in.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 146, respectfully report as follows: That Senate Bill No. 146 be concurred in.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 124, respectfully report as follows: That Senate Bill No. 124 be concurred in.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 78, respectfully report as follows: That Senate Bill No. 78 be concurred in.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 14, respectfully report as follows: That Senate Bill No. 14 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Joint Resolution No. 7, respectfully report as follows: That Senate Joint Resolution No. 7 be not concurred in.

LOMBARDI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 208, respectfully report as follows: That Senate Bill No. 208 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 157, respectfully report as follows: That Senate Bill No. 157 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 41, respectfully report as follows: That Senate Bill No. 41 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 209, respectfully report as follows: That Senate Bill No. 209 be concurred in.

AASHEIM, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 18, 1965 at 2:15 p.m.

Received of Chairman, Bills Committee, Harper, House Bills Nos. 409, 203, 179 and House Joint Resolution No. 15 and House Joint Resolution No. 17.

TIM BABCOCK, Governor.

By Jeanie Morris

MESSAGES FROM THE SENATE

February 17, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 122, introduced by Schye, et al.

House Bill No. 141, introduced by Pierce, et al.

House Bill No. 223, introduced by Leuthold, et al.

House Bill No. 228, introduced by Haines, et al.

House Bill No. 229, introduced by Haines, et al.

House Bill No. 361, introduced by Johnson, et al.

House Bill No. 368, introduced by Crum, et al.

Respectfully,

ALLEN, DONOHUE,
Secretary of the Senate

February 17, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 177, introduced by Delano, was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

ALLEN, DONOHUE,
Secretary of the Senate

February 17, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 216, introduced by Stranahan, et al, was this day recommended for non-concurrence by the Senate Committee on Irrigation and Water, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN, DONOHUE,
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following House Bill was introduced, read first time, appropriation measures at length, and referred to Committee:

House Bill No. 519, introduced by Hall, Gilfeather, McDonald, Gilligan, Obstarczyk, Holtz, Willits: A bill for an act entitled: "An act authorizing cities, towns or counties to participate in flood control or flood prevention projects, to acquire property for such purpose, to accept federal aid for such purpose, providing for division of expenses in connection with such purpose, providing for assessments, permitting the cities, towns or counties to enter into certain contracts in pursuance of such purpose, authorizing the issuance of general obligation bonds for such purpose upon an election thereon, authorizing the State Highway Commission to coordinate such activities when two or more counties are involved and for that purpose appropriating to the State Highway Commission the sum of ten thousand dollars (\$10,000.00) from the General Fund of the State of Montana for the biennium commencing July 1, 1965, containing a repealing, and containing a savings clause." Referred to Committee on Appropriations.

Motion was made by Cerovski, and carried, that the House adjourn until 10:00 a.m. Friday, February 19, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk

FORTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 19, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Boughton, Slaby, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-sixth Legislative Day, find the same to be correct.

ESKILDSEN, Vice-Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 224, respectfully report as follows: That Senate Bill No. 224 be not concurred in.

TRACY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 137, respectfully report as follows: That Senate Bill No. 137 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 128, respectfully report as follows: That Senate Bill No. 128 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 130, respectfully report as follows: That Senate Bill No. 130 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 26, respectfully report as follows: That Senate Bill No. 26 be amended as follows:

Amend Section 1, subsection 1, page 1, lines 12 and 13 of the original bill and lines 3 and 4 of the printed bill by striking the following: "Except as provided in subsection 2 of this section," and capitalizing the word "no" on line 13 of the original bill and line 4 of the printed bill, and further amend by striking subsection 2 in its entirety on page 2 lines 3 through 11 of the original bill and lines 22 through 29 of the printed bill, and further amend on page 2 by changing "3." to "2." on line 12 of the original bill and on line 30 of the printed bill, by changing "4." to "3." on line 17 of the original bill and on line 35 of the printed bill, and by changing "5." to "4." on line 22 of the original bill and on line 39 of the printed bill.

And, as amended, be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education having had under consideration Senate Bill No. 182, respectfully report as follows: That Senate Bill No. 182 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 be amended as follows:

1. Amend on page 3, line 7 of the original bill by deleting the following words and figures "fifteen percent (15%)" and inserting in lieu thereof the words and figures "five percent (5%)".

2. Further amend on page 4, lines 13 and 14 of the original bill by deleting the words and figures "twenty thousand dollars (\$20,000.00)" and inserting in lieu thereof the following words and figures "ten thousand dollars (\$10,000)".

3. Further amend on page 4, line 15 of the original bill by deleting the words and figures "sixteen thousand five hundred dollars (\$16,500.00)" and inserting in lieu thereof the following words and figures "ten thousand dollars (\$10,000.00)".

4. Further amend on page 4, after line 16 of the original bill by adding the following material: "Such state reimbursement for driver education shall be deposited by the county treasurer to the credit of the school district or county high school in a special non-budgeted fund as provided in Section 75-3722, R. C. M. 1947 and may be expended for the purposes provided by this act."

And as so amended, do pass.

BARDANOUE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Mather that Senate Bills Nos. 94 and 77 be moved to the top of the list on Second Reading. Motion carried.

Motion was made by Harper that consideration of Senate Bills Nos. 132, 131, 93, 135, 126, 62, 134 be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Crum of Yellowstone in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 94 be concurred in.

That Senate Bill No. 77 be concurred in.

That Senate Bill No. 17 be concurred in.

That Senate Amendments to House Bill No. 86 be concurred in.

That Senate Amendments to House Bill No. 171 be concurred in.

That Senate Amendments to House Bill No. 181 be concurred in.

That Senate Amendments to House Bill No. 182 be concurred in.

That Senate Amendments to House Bill No. 183 be concurred in.

That Senate Amendments to House Bill No. 184 be concurred in.

That Senate Amendments to House Bill No. 177 be concurred in.

That Senate Bill No. 102 be concurred in.

That Senate Joint Resolution No. 13 be placed at the bottom of the list.

That Senate Bill No. 187 be concurred in.

That Senate Bill No. 146 be concurred in.

That Senate Bill No. 124 be concurred in.

That Senate Bill No. 78 be concurred in.

That Senate Bill No. 14 be concurred in.

That Senate Bill No. 208 be concurred in.

That Senate Bill No. 157 be concurred in.

That the Committee rise and report.

CRUM, Chairman.

Report adopted.

THIRD READING OF SENATE BILLS

Motion was made by Cerovski that the House pass Third Reading for this sitting. Motion carried.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Harper that the House reconsider its action in passing for the day Senate Bills Nos. 132, 131, 93, 135, 126, 62 and 134, and that the bills be placed back on Second Reading. Motion carried.

Motion was made by Cerovski that the House move forward to Order of Business No. 12.

February 19, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 228, 141, 368, 122, 229, 361 and 223.

HARPER, Chairman.

I have examined House Bill No. 361 introduced by me and find the same to be correct.

JOHNSON.

I have examined House Bill No. 122 introduced by me and find the same to be correct.

SCHYE.

I have examined House Bill No. 229 introduced by me and find the same to be correct.

HAINES.

I have examined House Bill No. 228 introduced by me and find the same to be correct.

HAINES.

I have examined House Bill No. 368 introduced by me and find the same to be correct.

CRUM.

I have examined House Bill No. 223 introduced by me and find the same to be correct.

LEUTHOLD.

I have examined House Bill No. 141 introduced by me and find the same to be correct.

PIERCE.

Speaker Pro Tem signed the following House Bills in open session: House Bills Nos. 228, 229, 368, 141, 122, 361 and 223.

Motion was made by Cerovski that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 127, respectfully report as follows: That Senate Bill No. 127 be amended as follows:

Amend Section 1, page 2 after line 28 of the original bill, being Section 1, page 3 after line 37 of the printed bill, by adding the following new paragraph:

“Welfare’ means the enjoyment of health and the common blessings of life.”

Further amend Section 4, sub-section (a), line 4, page 4 of the original bill, being Section 4, sub-section (a), line 10, page 4 of the printed bill, by striking the period following the word “hazards”, insert a comma and add the following:

“provided that in all non-fire-resistant homes two stories or more in height with ten or more residents, automatic sprinkler systems acceptable to the State Fire Marshal shall be installed, with said State Fire Marshal to issue for the information and use of the board, certificates of compliance with fire regulations and standards applicable to the facilities.”

Further amend Section 6, subsection (d), line 24, page 5 of the original bill, being Section 6, subsection (d), line 17, page 6 of the printed bill, by striking the period following the word “thereunder”, insert a comma and add the following:

“affecting the health, welfare and well being of the residents.”

Further amend by striking all of Section 8 following the words “Notice, hearing and judicial review.” on line 8, page 6 of the original bill, being line 1, page 6 of the printed bill, and adding in lieu thereof the following:

“The board, after notice and opportunity for hearing to the applicant of licensee, is authorized to deny, suspend or revoke a license in any case in which it finds that there has been a substantial failure to comply with the requirements established under this law. Such notice shall be effected by registered mail, or by personal service setting forth the particular reasons for the proposed action and fixing a date not less than thirty (30) days from the date of such mailing or service, at which the applicant or licensee shall be given an opportunity for a prompt and fair hearing. On the basis of any such hearing, or upon default of the applicant or licensee the board shall make a determination specifying its findings of fact and conclusions of law. A copy of such determination shall be sent by registered mail or served personally upon the applicant or licensee. The decision revoking, suspending or denying the license or application shall become final thirty (30) days after it is so mailed or served, unless the applicant or licensee within such thirty (30) days period, commences an action in the district court, pursuant to this section. The procedure governing hearings authorized by this section shall be in accordance with rules promulgated by the board with the advice of the advisory council. A full and complete record shall be kept of all proceedings, and all testimony shall be reported but need not be transcribed unless the decision is reviewed pursuant to this section. A copy or copies of the transcript may be obtained by any interested party on payment of the cost of preparing such copy or copies. Witnesses may be subpoenaed by either party.

Any applicant or licensee of the state aggrieved by the decision of the board after a hearing, may, within thirty (30) days after mailing or serving of notice of the decision as provided in this section, commence an action in the district court of the county in which the long term care facility is located or to be located, by the filing of a verified complaint against the board as defendant, and summons shall issue and all further proceedings be conducted as in the case of ordinary civil actions. The board shall, upon filing its answer, certify and file therewith in the court wherein the action is pending a certified copy of the record and decision, including the complete transcript of the hearings on which the decision is based. Findings of fact by the board shall be conclusive unless substantially contrary to the weight of the evidence, or unless in conflict with law, but upon good cause shown the court may remand the case to the board to take further evidence, and the board may thereupon affirm, reverse or modify its decision. The court may affirm, modify or reverse the decision of the board and either the applicant or licensee or the board or state may apply for such further review by appeal or otherwise, as is provided by law. Pending final disposition of the matter the status quo of the applicant or licensee shall be preserved, except as the court otherwise orders in the public interest."

And as amended, be concurred in.

Report adopted. BASHOR, Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 be concurred in.

Report adopted. LAAS, Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 125, respectfully report as follows: That Senate Bill No. 125 be concurred in.

Report adopted. LAAS, Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 153, respectfully report as follows: That Senate Bill No. 153 be concurred in.

Report adopted. LAAS, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 84, respectfully report as follows: That Senate Bill No. 84 be concurred in.

Report adopted. SHEEHY, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 96, respectfully report as follows: That Senate Bill No. 96 be concurred in.

Report adopted. SHEEHY, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 181, respectfully report as follows: That Senate Bill No. 181 be concurred in.

Report adopted. SHEEHY, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be concurred in.

Report adopted. SHEEHY, Chairman.

MESSAGES FROM THE GOVERNOR

February 19, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 104—Introduced by Leuthold, Stranahan, Meccage, et al.

House Bill No. 118—Introduced by Schepens and Hall.

House Bill No. 149—Introduced by Bardanouve and Lucas.

House Bill No. 152—Introduced by Shugrue, Jensen, Slaby, Lucas, Zimmer.

House Bill No. 157—Introduced by Flynn and Hanks.

House Bill No. 237—Introduced by Ways and Means Committee.

House Bill No. 254—Introduced by McNamara, Judge and Delano.

House Bill No. 262—Introduced by Schepens, Tooke and Prevost.

House Bill No. 265—Introduced by Gill, Bailey, Smith and Garrison.

House Bill No. 308—Introduced by Sheehy.

House Bill No. 371—Introduced by Twedt, Hanks and Slaby.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

February 19, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 185, introduced by McNamer and Sheehy.

House Bill No. 186, introduced by McNamer and Sheehy.

House Bill No. 213, introduced by Bailey, et al.

House Bill No. 363, introduced by Hall.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate.

February 19, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and are herewith returned to the House:

House Bill No. 22, introduced by Watt, et al.

House Bill No. 81, introduced by Judge, et al.

House Bill No. 87, introduced by Christiansen, et al.
 House Bill No. 169, introduced by Broeder and Rygg.
 House Bill No. 201, introduced by Delano and Healy.
 House Bill No. 258, introduced by Sullivan and Johnson.
 House Bill No. 293, introduced by Bashor and Schye.
 House Bill No. 259, introduced by Sullivan and Johnson.
 House Bill No. 318, introduced by Holtz, et al.
 House Bill No. 336, introduced by Haines.
 House Bill No. 373, introduced by Casey, et al.
 House Bill No. 457, introduced by Bailey and Delano.

Respectfully,
 ALLEN DONOHUE
 Secretary of the Senate.

February 18, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 29, introduced by Gerke, et al.
 House Bill No. 68, introduced by Fischer, et al.
 House Bill No. 249, introduced by Highways Committee.
 House Bill No. 255, introduced by Obstarczyk, et al.
 House Bill No. 449, introduced by Healy, et al.
 House Bill No. 480, introduced by Tracy.

Respectfully,
 ALLEN DONOHUE
 Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Lucas that Senate Bill No. 61 be recalled from the Senate for reconsideration by the House. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Crum of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 132 be concurred in.
 That Senate Bill No. 131 be concurred in.

That Senate Bill No. 93 be concurred in.

That Senate Bill No. 135 be concurred in.

That Senate Bill No. 126 be concurred in.

That Senate Bill No. 62 be concurred in.

That Senate Bill No. 134 be concurred in.

That Senate Bill No. 64 be concurred in.

That Senate Bill No. 41 be concurred in.

That Senate Bill No. 209 be concurred in.

That Senate Joint Resolution No. 13 be concurred in.

That the Committee rise and report.

CRUM, Chairman.

Report adopted.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Hanks that House Joint Resolution No. 11 be taken from Third Reading and rereferred to Second Reading. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriation measure at length, and referred to committees:

House Bill No. 520, introduced by Schye: A bill for an act entitled: "An act to appropriate money to the State Highway Patrol for certain rewards." Referred to Committee on Appropriations.

House Bill No. 521, introduced by Gunderson, Holtz, Hall: A bill for an act entitled: "An act apportioning the House of Representatives of the Legislative Assembly; amending Section 16-518, R. C. M. 1947; and repealing Sections 43-103, 43-104, 43-105 and 43-106, R. C. M. 1947." Referred to Committee on Reapportionment.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 67 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Loman, Lucas, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Stranahan, Sullivan, Swantz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 75.

Noes: Bardanouve, Deschamps, Eskildsen, Lewis, Lund, Ulmer, Zimmer. Total 7.

Absent or not voting: Broeder, Crum, Garrison, Jenkins, Laas, McNamer, Smith, Spilde. Total 8.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Bill No. 33 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Casey, Deschamps. Total 2.

Absent or not voting: Broeder, Crum, Garrison, Jenkins, Laas, McNamer, Smith, Spilde. Total 8.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Joint Resolution No. 3 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Fischer, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Schye, Shugrue, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 66.

Noes: Casey, Dye, Falkenstern, Flynn, Hanks, Jensen, Mather, McOmber, Pierce, Rygg, Selstad, Smiley, Tooke, Williams, Woodard. Total 15.

Absent or not voting: Broeder, Crum, Garrison, Jenkins, Laas, McNamer, Rehberg, Sheehy, Smith. Total 9.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Bill No. 133 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Broeder, Garrison, Jenkins, Laas, McNamer, Smith. Total 6.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Bill No. 97 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Broeder, Garrison, Jenkins, Laas, McNamer, Smith. Total 6.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Joint Resolution No. 12 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 78.

Noes: Deschamps, Gerke, Hanks, Stranahan, Ulmer. Total 5.

Absent or not voting: Broeder, Garrison, Jenkins, Laas, McNamer, Pierce, Smith. Total 7.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Amendment to House Bill No. 86 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 82.

Noes: None.

Absent or not voting: Broeder, Garrison, Gerke, Jenkins, Laas, McNamer, Smith, Woodard. Total 8.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Amendment to House Bill No. 171 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Brenner, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano,

Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 77.

Noes: Bollinger, Casey, Sheehy, Shugrue. Total 4.

Absent or not voting: Broeder, Garrison, Gerke, Jenkins, Laas, McNamer, Pierce, Smith, Spilde. Total 9.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Amendment to House Bill No. 181 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 80.

Noes: None.

Absent or not voting: Broeder, Garrison, Gerke, Jenkins, Laas, McNamer, Pierce, Scherf, Smith, Zimmer. Total 10.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Amendment to House Bill No. 182 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Smiley, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 79.

Noes: Sullivan. Total 1.

Absent or not voting: Broeder, Garrison, Gerke, Jenkins, Laas, McNamer, Meccage, Pierce, Smith, Zimmer. Total 10.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Amendment to House Bill No. 183 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks,

Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 78.

Noes: Stranahan. Total 1.

Absent or not voting: Broeder, Garrison, Gerke, Jenkins, Laas, McNamer, Meccage, Pierce, Scherf, Smith, Zimmer. Total 11.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Amendment to House Bill No. 184 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Scherf, Schye, Selstad, Sheehy, Shugrue, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Woodard, Mr. Speaker. Total 71.

Noes: Lucas, Smiley, Stranahan, Ulmer, Williams. Total 5.

Absent or not voting: Brenner, Broeder, Cerovski, East, Garrison, Gerke, Jenkins, Laas, McNamer, Pierce, Rehberg, Schepens, Smith, Zimmer. Total 14.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

Senate Amendment to House Bill No. 177 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 75.

Noes: Deschamps. Total 1.

Absent or not voting: Broeder, Cerovski, East, Garrison, Gerke, Jenkins, Laas, McNamer, Pierce, Scherf, Smith, Spilde, Twedt, Zimmer. Total 14.

Excused: Boughton, Felt, Lombardi, Slaby. Total 4.

February 19, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 228, 141, 368, 122, 229, 361 and 223 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:10 o'clock p. m., delivered to the Governor for his approval.

HARPER, Chairman.

February 19, 1965

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 223, 361, 122, 141, 368, 229 and 228.

TIM BABCOCK, Governor

by Jeanie Morris.

February 19, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 91, beg leave to report that the same has this date been returned from the printer correctly printed.

HARPER, Chairman.

Motion was made by Cerovski that the House recess for ten minutes. motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

SPECIAL ORDERS OF THE DAY

The following report of the Necrology Committee was presented to the House with appropriate ceremonies:

IN MEMORIAM 1965

Almighty and most merciful Father we humbly beseech you to hear our prayers on behalf of our honored dead who gave so fully of themselves in the service of our State and nation. Grant them that peace which surpasses all understanding and bless their loved ones; give to the leaders of our national, state and local government the strength and wisdom to preserve and promote the ideals for which these beloved dead labored.

Grant, too, that we who are assembled here today might be inspired and renewed by the memory of our deceased, to rededicate ourselves to the work they so ably carried on in their lifetime to the end that a better world might be brought about as a fitting tribute to their achievements.

Finally, grant that this memorial service might fill us with hope, remembering that for them life is changed, not taken away, that they are with you who are the Resurrection and the Life.

Help us to make ready for our own last end so that we might live so as to always be prepared to meet you and to join them in life everlasting.

Amen.

Let us pray.

O God, the Creator and Redeemer of all mankind, hallow these moments of solemn remembrance coming to a close, so that this memory will stay ever green. May the infusion, through your grace, of kind thought for our departed brothers, be the means of cleansing our hearts from any bitterness which the difficulties of this life might bring. Yes, Lord, we understand death is a great leveler and after it there are no more hills to climb, only walks through the deep purple grass of heaven with our Lord and Savior.

We were one with our brothers in life, we are one with them today in memory; see to it Lord, please, that we be one with them in the eternal mansions of your Kingdom.

Amen.

Psalm 189:2-9, 12

Chaplain—A man of wicked tongue shall not abide in the land;
evil shall abruptly entrap the violent man.

- All—1: Deliver me, O Lord, / from evil men;
2: Preserve me from violent men,
1: From those who devise evil in their hearts,
2: And stir up wars every day. (Chaplain)
1: They make their tongues sharp as those of serpents.
2: Save me, O Lord, / from the hands of the wicked;
preserve me from violent men.
1: I say to the Lord, / you are my God;
listen, O Lord, / to my voice in supplication.
2: O God, my Lord, my strength and my salvation,
you are my helmet in the day of battle. (Chaplain)
1: Grant not, O Lord, / the desires of the wicked;
further not their plans.
2: A man of wicked tongue shall not abide in the land;
evil shall abruptly entrap the violent man.

Psalm 33:12

- 1: I will bless the Lord at all times;
His praise shall be ever in my mouth.
2: Let my soul glory in the Lord:
the lowly will hear me and be glad.
1: Glorify the Lord with me,
let us together extol his name.
2: I sought the Lord, and He answered me
and delivered me from all my fears.
1: Look to Him that you may be radiant with joy,
and your faces may not blush with shame.
2: When the afflicted man called out, the Lord heard,
and from all his distress He saved him.
1: The angel of the Lord encamps
around those who fear him and delivers them.
2: Taste and see how good the Lord is;
happy the man who takes refuge in him.
1: Fear the Lord, you his holy ones,
For nought is lacking to those who fear Him.
2: The great grow poor and hungry;
But those who seek the Lord want for no good thing.
1: Come, children, hear me;
I will teach you the fear of the Lord.

(Father Emmett P. O'Neill)

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the State of Montana of the Thirty-ninth Legislative Assembly record the passing of the distinguished former members of this body;

WHEREAS, it is fitting and proper that the outstanding records and accomplishments of the late Representatives be placed on record in this Assembly, and the following facts relative to their careers are hereby noted:

C. E. BOORMAN

C. E. Boorman was born at Prairie du Chien, Wisconsin, on May 26, 1892, and came to Montana in 1909. He served 18 months in France during World War I, and following the war was chosen by the governor as one of two soldiers from Montana to attend the funeral of the unknown soldier in Washington, D. C.

He married Joyce Martin, daughter of Rev. J. A. Martin, pioneer Montana Methodist minister, here in 1919.

Boorman was a 50-year Mason and was the first Mason to complete his degrees from the Great Falls Masonic Temple. He was manager of the

Boorman Lumber Co. in Great Falls, which was sold in December, 1916, to Rogers-Templeton Lumber Co., and in February 1921, became part of the Monarch Lumber Co.

He served as a Representative from Cascade County for two terms in the state legislature, namely, the 1921 and 1923 sessions. He also served as president of the Montana Epworth League of the Methodist Church.

Mr. Boorman died in San Bruno, California and committal services were February 3, 1965 in the San Bruno National Cemetery.

Survivors, besides his widow, include a daughter, Mrs. Carroll (Joyce) Mitchell, Baker, Ore., and a son, Kenneth Boorman, Idaho Falls.

GAY A. BOSLEY

Gay A. Bosley was born September 25, 1885, in Carroll, Iowa, and came to Montana in 1907, settling in Great Falls. He was first employed by the Great Northern Railway and later by the American Express Company. He was elected altermen from the third ward in 1920 and served until 1927. He was elected state representative, serving in 1923.

Named consulting engineer for the Great Falls Housing Authority when it was formed in 1938, he later served as chairman of the group. Appointed to the State Board of Education by Gov. Sam C. Ford in April, 1941, he was reappointed to the post the following year and served until 1955.

He was a member of Great Falls Lodge No. 118, A. F. & A. M., Scottish Rite Bodies of Great Falls, Algeria Shrine Temple of Helena, past president of the Great Falls Fraternal Order of Eagles, past president of the Carpenters' Union and past president of the Isaac Walton League.

Survivors include his widow, Eliza, and a daughter, Bernice Akers, both of Great Falls, and two grandchildren. He died in Great Falls at his home on December 27, 1964.

N. J. BRANDT

N. J. Brandt came to Montana in 1915 and settled in the Whitewater community, where he established a general store. He was one of the organizers of the Tri-County Farmers Fire Insurance Co. He was a retired postmaster, having been postmaster of Whitewater for many years.

He was a member of the 1925 state legislature and active in the affairs of his community.

Mr. Brandt passed away at Wolf Point December 15, 1964. His wife preceded him in death. He is survived by two daughters, Kathryn Marshall of Wolf Point and Bernadine Smith of Glasgow; a son, Robert Brandt of Wolf Point, six grandchildren, 3 great-grandchildren, four sisters and two brothers.

JAMES PATRICK BRENNAN

James Brennan was born July 25, 1879 in Merricksville, Ontario, and as an infant he moved with his parents to Bathgate, N. D. On January 15, 1908, at Antler, N. D. he was married to Margaret B. Henderson of Pine City, Minnesota.

Mr. Brennan moved to Montana in 1923, when he became president of the Farmers and Merchants State Bank of Savage. In his long career in land development, he termed his association with the Lower Yellowstone Valley Development Association as the most satisfying period of his life's work.

In addition to his various business activities, Mr. Brennan took an active interest in government and was elected to the Montana House of

Representatives for the legislative sessions of 1935 and 1937. In 1939 and 1941 he served the House as chief clerk and in 1957 was named sergeant-at-arms.

He continued his service with the government in a position with the Montana Railroad Commission and later was named state director of Montana Employment Service for the Unemployment Compensation Commission.

He died March 17, 1964 in St. John's Hospital and is survived by his widow, Margaret, two daughters, Mrs. Kenneth H. Harstad of Glendive, Mrs. Fred H. Taylor of Casper, Wyo.; a son M/Sgt. Edward T. Brennan of the U. S. Air Force, five grand children and two great-grandchildren.

SUMNER CLARK

Sumner Clark was born at Grass Range December 17, 1914. He attended Montana State College and on August 31, 1939, married Cecilia Leary in Cut Bank. He died in a Billings hospital September 9, 1964.

In 1952 he began operation of Clark's Pay & Save grocery in Winnett. He was a member of the Winnett school board since 1956, a former president of the Petroleum County Chamber of Commerce and director of Mid-Rivers Telephone Co., for two years.

He was elected to the Montana House of Representatives in 1956 and served from Petroleum County during the 1957 session.

Survivors include the widow; his father; a son, Jack, Bozeman, a daughter, Mrs. Carl Ratzburg, Ledger; four brothers and four sisters.

CLARENCE A. DALLAS

Clarence A. Dallas was born July 19, 1883 at Wickes, Jefferson County mining community. He was graduated from grade and high school in Marysville and attended Helena Business College. He was employed as a cashier by the Helena Water Department and later worked in the Montana Trust and Savings Bank, until his health declined and he moved to Winston.

During his residence in Broadwater County he operated a ranch near Winston and served the county as its state representatives in the Montana legislative sessions of 1943, 1945 and 1947. A Republican Mr. Dallas was employed for 11 years by the State Unemployment Compensation Commission until his retirement a few years ago. He was a member of the Fraternal Order of Eagles.

On July 3, 1912 in Helena he was married to the former Elsie M. Hall. Three children were born to the couple. Mr. and Mrs. Dallas celebrated their golden wedding anniversary in 1962.

Mr. Dallas died June 18, 1964 and is survived by his widow, Elsie; a son, Clarence Dallas, Jr., of Lakeview, Ore.; daughter, Mrs. Don Winters of Murrysburg, Pa.; a sister, Mrs. E. S. Poe of Helena; and seven grandchildren.

JASPER DeDOBBELEER

Jasper DeDobbeleer was born in Belgium July 18, 1883, and came to this country with his parents. He lived in Illinois and Iowa before moving to a farm in Valley County in 1917. He married Sarah Johnston in Iowa on April 27, 1903. She died at Glasgow in 1954.

Mr. DeDobbeleer had been a leader in local and county Farmers Union and cooperative affairs, and was vice president of Montana Farmers Union from 1934 through 1940.

He was a member of the Montana House of Representatives in the legislative sessions of 1937 and 1939, and had been chairman of the Valley County Democratic Central Committee.

Mr. DeDobbeleer helped organize the Valley Rural Electric Cooperative and the Farmers Union Feed and Grain Company. He was a member of the board of directors of the rural electric for more than 10 years and served on the board of the Farmers Union Oil Company for 11 years.

He died December 19, 1963 in a Glasgow hospital after a long illness. Surviving are two sons, Roy of Glasgow and Jasper of San Anselmo, California and a daughter, Mrs. Art Vogge of Glasgow.

ROSCOE CLARKE DILLAVOU

R. C. Dillavou was born near Lodge, Ill., January 2, 1890, and was graduated from Tolono High School in 1907. He received a bachelor of arts degree from the University of Illinois in 1911 and a law degree in 1913. After practicing law in Illinois for about a year he came to Billings in March, 1914 and began practice as the senior member of the law firm of Dillavou, Hauf and Forsythe.

He married Louise M. Bradford June 14, 1916 at Champaign, Ill.

Mr. Dillavou made periodical and successful entries into politics. He served in the Montana Legislature from 1919 to 1922 and from 1941 to 1944. He was floor leader of the House during his last term.

He was a member of the Masonic Order, Elks and Eagles Lodges, the Hilands Club and the Billings Chamber of Commerce, First Methodist Church, a 50-year member of the Montana Bar Association, and a Shriner.

Mr. Dillavou died in a Billings hospital January 12, 1965. Besides the widow, he is survived by a son, George J. Dillavou, Chicago; a daughter, Mrs. Raymond E. Wise, Jr., Billings; five brothers and two grandchildren.

HUGH EGAN

Hugh Egan was born in Springfield, Minnesota in 1889. He resided at Lewistown since 1928 after operating hotels and banks in North Dakota. While in Lewistown he operated both the Burke and Fergus hotels.

Mr. Egan served in the Montana House of Representatives from Fergus County in the 1935 session. He ran in Republican primaries for lieutenant governor in 1937 and for the U. S. Senate in 1939.

He was chairman of the Fergus County Republican Central Committee for eight years and has been referred to as the father of the Townsend plan in Montana, a forerunner of the present social security program.

Mr. Egan died in an Elgin, Illinois, hospital October 6, 1963 and is survived by his widow, Hazel; two sons, Hugh, Jr., of Helena and Kenneth; nine grandchildren and a nephew, Roland Egan of Shelby.

ARTHUR S. HAGENSTON

A. S. Hagenston was born at Ada, Minnesota, in 1900, and attended Union Commercial College at Grand Forks, N. D. and North Dakota State College in Fargo.

He represented Dawson County in the House of Representatives in 1955 and the Senate in 1957 and 1959. He was a democrat.

He was a past president of the Montana Hardware and Implement Association and was a retail hardware dealer in Glendive. Hagenston also was a former director of the Montana Chamber of Commerce.

Mr. Hagenston died April 5, 1964 in Longview, Washington.

J. B. HEAVLIN

J. B. Heavlin was born July 8, 1888 in Butler, Missouri. In 1889, at the age of 1 year, he moved to Montana with his parents and their 12 children. They settled in the Bitterroot, near Hamilton. In 1912 he married Mary H. Finnegan of Helena. In 1924 they moved to Missoula from Lewistown where he started the Heavlin Sheet Metal and Tin Shop, which he owned and operated until his retirement in 1955. He was a member of St. Anthony's Parish in Missoula, and the Elks and Eagles Lodges.

Mr. Heavlin died December 8, 1963 in Missoula. He is survived by his daughter, Peg, in Billings, Montana, and his son-in-law, Jerome Anderson, who has also served in the House of Representatives.

OSCAR P. HELDING

Oscar P. Holding was born in Treharna, Sweden in 1880, and came to Missoula in 1901. He worked as a railroad laborer and teamster before becoming a barber. He retired in 1951. In 1926 he organized a state group of master barbers.

Holding, a Democrat, served in the Montana House of Representatives in 1935, 1941, 1949, 1955 and 1959. From 1949 to 1954 he was county treasurer. He also was a former school board member and deputy sheriff. In 1937-38 he was a member of the State Liquor Control Board.

Mr. Holding died May 18, 1963 at the age of 83. Survivors include his widow Gudrun, three sons, Arnold of Missoula, Robert of Libby and John of Spokane, Wash.; two daughters, Mrs. Edna Evanko, Walnut Creek, Calif., and Mrs. Anna Weidenhaft, Seattle, two sisters in Sweden and 12 grandchildren.

WILLIAM E. KEELEY

William E. Keeley was born at Crookston, Minnesota on May 20, 1884. He was educated at the University of Minnesota and completed his legal education at the University of North Dakota in 1908, and was immediately admitted to the bar of North Dakota. He was admitted to the Montana Bar in 1910, and actively started practicing law in Deer Lodge, Montana in February of 1910. He served as city attorney in the city of Deer Lodge from 1914 to 1929, and as county attorney of the County of Powell from 1917 to 1921.

He was a member of the House of Representatives of the State of Montana from 1925 to 1927. In 1929, he was elected to the Montana State Senate on the Republican ticket, and served in that body continuously until 1949, at which time he ran for the Republican nomination for lieutenant governor. During his term in the Montana State Senate, he served as Republican minority floor leader during the 1935 and 1939 sessions, and as President Pro Tem and Majority Floor Leader during the 1941 and 1943 sessions. He served as President Pro Tem ad interim between 1943 and 1945, and during this time on several occasions, served as Acting Governor of the State of Montana.

Mr. Keeley was an accomplished trial lawyer. He practiced in state and federal district courts and before the Supreme Court of the United States. On May 14, 1960, the Montana Bar Association gave him a 50-year membership pin. He was also a member of the American Bar Association more than 49 years.

Mr. Keeley was a member of Kiwanis Club in Deer Lodge, I. O. O. F., Knights of Pythias, Moose and Elks Lodges.

Mr. Keeley died May 5, 1963 at his home in Deer Lodge. He is survived by his widow, the former Lillian Williams; brothers, E. M. Keeley, Sacramento, California, and Earl Keeley, Seattle; two nephews and two nieces.

WALTER W. KROGER

Walter W. Kroger was born in Beartown, a mining camp ten miles north of Bearmouth, on July 22, 1873; moved to Philipsburg as a small baby and lived there for many years.

Mr. Kroger was a Republican representative to the House of Representatives at the 1907 session, representing Granite County.

At one time he was County Treasurer in Granite County, also a metallurgist and assayer, and later a banker in Granite County and also in Olympia, Washington.

He died at the age of 91 in a rest home in Pomona, California, and is survived by several nieces and nephews and many grand and great-grand nieces and nephews.

EUGENE C. McBRIDE

Eugene C. McBride was born April 10, 1905, in Anaconda, Montana. He was a member of the Elks, Firemen's Association, Ancient Order of Hibernians. He was a fireman for 20 years in Anaconda until his retirement in 1955.

Mr. McBride represented Deer Lodge County during the 1951 session of the House of Representatives.

He died suddenly in Las Vegas, Nevada, January 19, 1965. Surviving are his wife, Ethel, Las Vegas; son-in-law and daughter, Mr. and Mrs. Marion Nayeau; three grandchildren; four brothers and sisters-in-law; one sister; and a number of nephews and nieces.

BERNARD J. McGREEVEY

Bernard J. McGreevey was a native of Anaconda, Montana. He attended the local schools there and resided there all his life.

He was a member of St. Joseph Church, an honorary life member of Anaconda Council of the Knights of Columbus, member of the Ancient Order of Hibernians and Butchers' Union.

He was active in the Democratic party throughout his life and represented Deer Lodge County during the 1941, 1943 and 1945 sessions of the House of Representatives.

Mr. McGreevey served two terms as mayor of Anaconda from May, 1945 until May, 1949. He also was Deer Lodge County Coroner in the early 1920s. His last employment was with the Anaconda reduction department as watchman until his retirement in 1958.

He died in St. Ann's Hospital in Anaconda, March 16, 1963, and is survived by one brother, Hugh McGreevey; four sisters, Alice and Teresa McGreevey, members of the faculty in the Anaconda public school system; Mrs. Edward Sights, Evansville, Ind.; Mrs. Mary West, Portland, Ore.; nephew and niece, Mr. and Mrs. Leland Bowman, Anchorage, Alaska; and a number of cousins.

THOMAS E. MULRONEY

Thomas E. Mulroney was born at Fort Dodge, Iowa, on January 5, 1914. He served as a lieutenant in the United States Naval Reserve in the Pacific during the last war and was a past commander of the American Legion.

He received a B. A. degree and a L. L. B. degree from Montana State University in 1938 and practiced law with his father, Edward C. Mulroney, for 22 years thereafter. He was a member of the State Bar Association.

He served in the Montana House of Representatives in the 1949 legislative session as a Republican.

Mr. Mulroney died in Missoula on May 21, 1964, and is survived by his widow, Olive; and three daughters, Helen, Mary and Nancy.

EUGENE RICHARD ORMSBEE

Eugene Richard Ormsbee was an English professor at Montana State University in the early 1920s. He also taught English at Washington State. When he moved to Hamilton, Montana, he became superintendent of schools. He spent most of his adult life as an educator.

Mr. Ormsbee was active, along with others, in establishing a Helena weekly newspaper, "The People's Voice."

He served in the House of Representatives for Mineral County during the 1935 legislative session.

He died suddenly May 6, 1963 in Hamilton. Survivors include a son, Dr. Richard Ormsbee, a scientist for the U. S. Government at the Hamilton Health Laboratory here, and two daughters.

CECIL C. PARKER

Cecil C. Parker was born December 24, 1899 in Missouri City, Mo. He came to Valier, Montana, in 1917 and engaged in farming for 30 years. He served as manager of the Farmers Union Elevator Co. in Valier from 1933 to 1943. He sold his farm in 1957 and turned to writing insurance.

Mr. Parker was active in the Democratic party and was elected state Representative from Pondera County in 1955, 1957 and 1959. He was active in the Valier Community Club, the International Order of Odd Fellows and Rebekahs and with the Loyal Order of Moose in Conrad. He was very active in civic affairs.

He died October 9, 1963 at a Great Falls hospital at the age of 63. He is survived by his widow, Marie, and one son, Roy D., of Marina, California, and five grandchildren.

SYLVAN J. PAULY

Sylvan J. Pauly, honorary life president and member of the executive board of the National Woolgrowers Association, died April 24, 1963, in Butte, following a short illness.

Mr. Pauly, whose age was not reported, was a past president of the NWA, banker and owner-manager of the 100,000-acre Pauly Ranch Co. of the Deer Lodge valley. He was also part owner of the former Williams and Pauly Ranch, one of the largest purebred Rambouillet sheep ranches in the world.

Pauly was a cum laude graduate of George Washington University, Washington, D. C. He served in the Montana House of Representatives in 1929 and 1931 as a Republican from Powell County.

Survivors include his widow, Dorothy; a daughter, two sons and a sister, Mrs. J. E. Corette of Butte.

SCOTT A. PFOHL

Scott A. Pfohl, whose record of accomplishments gave every indication that he would go on to become one of this area's most outstanding citizens, met sudden death May 4, 1963, in a light plane crash southwest of Salt Lake City. He was an attorney for Sinclair Oil Co. and a regional officer of the Civil Air Patrol.

Mr. Pfohl was born in Mandan, N. C., June 15, 1922, and moved with his parents to Livingston, Montana, the same year. He attended Montana State University and the University of Washington and served as an Air Force pilot in World War II.

He served as deputy county attorney of Park County in 1950 and in November, 1952, was elected to the state legislature where he served in the Montana House of Representatives as a Republican from Park County during the 1953 session.

Surviving are his widow, the former Mary Lou Ross of Deer Lodge, who also is a Montana State University graduate; a daughter, Carolyn, 14, and a son, Ross, 3, of Denver; his mother, Mrs. Bertha Pfohl of Livingston; his father, William Adams, Mandan, N. D.; a half-brother, Wm. Adams of Mandan; two uncles and four aunts.

EDMUND N. TAYLOR

Edmund N. Taylor was born in Mt. Moriah, Missouri, Sept. 7, 1897. He married Florence Dorothea Kennedy in Saskatoon, Sask., Canada, June 26, 1923. He came to Montana in 1914, where he had a ranch in Daniels County.

Representative Taylor served in the Montana House of Representatives in 1945, 1947, 1949, 1951, 1953 and 1955, from Daniels County.

Mr. Taylor died May 2, 1964 at the age of 66. Survivors are two daughters, Margaret Louise Gebhardt, Roundup, Montana; Florence Fae Phillips, Lewistown, Montana; and 10 grandchildren; and his widow, Dorothea.

CLARENCE J. WILLIAMS

Clarence J. Williams was born in Greely, Colo., and moved to Billings in 1919. He operated an insurance company and a car selling business. He was elected a Billings alderman in 1928 and appointed mayor in 1933 to fill out an unexpired term. The next term he was elected mayor.

Mr. Williams was a banker in Billings and served in the Montana House of Representatives in 1939, 1941, 1943, 1945, and 1947. During his legislative days he served as chairman of the House Appropriations Committee.

He died December 28, 1963 in a Phoenix, Arizona, hospital. Survivors include his widow, Zora; two sons, Gerald of Greybull and Robert J. of Tulsa, Okla.; six grandchildren and three great-grandchildren.

OSCAR ANDERSON

Oscar Anderson was born April 10, 1889, and was a lifetime rancher in Fergus County.

He represented Fergus County in the House of Representatives during the 15th Legislative Assembly.

He died July 18, 1963.

BYRON C. STORK

Byron C. Stork came to the "little town" of Great Falls in 1888 on an emigrant car on the new Great Northern railway with his father, Charles B. Stork, stepmother, brothers and sisters. He is said to have been the first man who advocated dry land wheat farming in Montana and successfully raised wheat on his dry land farm, eventually owning 2,700 acres. He served as a legislator from Cascade County.

At the age of 64 he started to write and paint and turned out 400 paintings and published three books.

He died May 21, 1963 in a Spokane hospital at the age of 84.

JACK C. TOOLE

Jack C. Toole was born October 7, 1910, and attended Shelby public schools, graduated from Shelby high school in 1928 and from Montana State University in 1932. He operated the Diamond Willow Ranch north of Shelby; worked for the federal government surplus buying program on drought area cattle in 1936; organized the Tri-County Radio Corp., which founded Radio Station KIIYI at Shelby; helped form the Shelby Stockyards in 1947 and operated the yards for two years; and started a truck stop at Shelby in 1954.

He had served two terms in the House of Representatives from Toole County in 1947 and 1949. He was Democratic nominee for Lieutenant Governor in 1952; treasurer of the Democratic organization in Montana from 1948-1952; and State Democratic Chairman, 1954-1956.

He was named director of the Montana Association for Mental Health after his appointment in 1952 to the Governor's Committee on Mental Health; he was a lay director of the Montana Physicians' Service, 1950-1956; a member of the Montana Oil Conservation Board, 1949-1952; a former school board member in Toole County; was named to the Governor's Committee on Aging in 1954; and was the first president of the Montana Cattlemen's Association.

He died January 19, 1965 in George Washington University Hospital at the age of 54. He was in Washington for a national mental health meeting when he was stricken. He is survived by his widow, Jean; his mother, Maude; and a nephew, Bruce Toole, of Billings.

HONORABLE GEORGE H. ALLEN

Judge of the Sixth Judicial District

George J. Allen was born at Livingston, Montana, on October 7, 1907, the son of Mr. and Mrs. Elbert F. Allen, pioneer residents of Montana.

He attended school at Montana State University, graduating with degrees in Law and Business Administration.

He married Doris Ward, daughter of Mr. and Mrs. D. R. Ward at Winona, Minnesota in 1932.

Judge Allen served in the House of Representatives, Park County, from 1941 to 1943. In 1943 he resigned from the House of Representatives to join the American Red Cross, serving during World War II in the European theater of operations. Following his return to the United States, he engaged in law practice in Livingston, Montana.

Judge Allen was county attorney of Park County for nine years and was appointed by Governor Aronson in 1956, as Sixth Judiciary Judge, State of Montana, which position he held until his death.

He was a member of the Masons of Livingston, Shriners at Helena, and was active in the State Mental Health Association, Kiwanis Club, a member of the Montana Bar Association and was past president of the Montana Judges Association.

Judge Allen died at Livingston, Montana, on December 18, 1964, with interment at Mountain View Cemetery, Livingston, Montana.

Survivors include his widow, Doris; two daughters, Mrs. Oliver (Patricia) Saffir, Palo Alto, California; Mrs. Ben (Peggy) Fujita, Portland, Oregon; and one son, James Allen, Menlo Park, California, and one grandchild.

NOW, THEREFORE, BE IT RESOLVED, that a copy of this Memorial be entered upon the Journal of the House, and that original copies thereof,

signed by the Speaker of the House, be transmitted to the surviving spouse or parents, and in the absence of either, to the oldest surviving child, hereinabove designated, and that an original copy of this Memorial be filed with the Historical Society of the State of Montana.

NECROLOGY COMMITTEE:

C. R. FISCHER, Chairman.
ISABELLE JAMES.
P. J. GILFEATHER.

ATTEST:

RAY J. WAYRYNEN,
Speaker of the House,
CHARLES CEROVSKI,
Majority Floor Leader,
JAMES P. LUCAS,
Minority Floor Leader.
Report adopted.

MEMORIAL TO MRS. JOSEPHINE AGNES BONNER

THAT WHEREAS, MEMBERS OF THIS HOUSE, ALONG WITH ALL OF THE PEOPLE OF THE STATE OF MONTANA, WERE PROFOUNDLY SHOCKED AND BEREAVED BY THE NEWS OF THE DEATH OF JOSEPHINE AGNES BONNER OF HELENA, LEWIS AND CLARK COUNTY, MONTANA, AND

WHEREAS, Josephine Agnes Bonner, during her lifetime, made numerous outstanding civic and political contributions to her state, city and country, which merit official recognition by her contemporaries and recordation for posterity, in memory of a life well lived.

Mrs. Bonner was born in Butte on March 30, 1907, the daughter of Mr. and Mrs. James Martin. She attended Butte schools and was chief accountant and bookkeeper for Gamer's Shoe Co., Butte, prior to her marriage. She married Helena attorney John Bonner February 6, 1929 at Helena, and had lived here since July 15, 1929.

During her residence in Helena, Mrs. Bonner was active in Democratic political activities and was one of the founders of St. John's Hospital Guild. She took an active part in numerous civic functions and devoted much of her time on behalf of the Home of the Good Shepherd. She was also one of the original founders of the Canyon Ferry Recreation Association and served as secretary and president of this organization. She was a member of St. Helena Cathedral and belonged to several church organizations.

Mrs. Bonner acted as adviser and assistant in John Bonner's successful 1948 campaign for governor, which made him Montana's first war-veteran chief executive. Fifteen years ago this month the Bonners and their five children moved into the Governor's mansion—which now houses the Territorial Centennial Commission offices. They lived there four years.

Mrs. Bonner was stricken a year ago and after treatment here and in Texas accompanied her husband on a trip to Europe. Her health began failing again about two months ago.

Survivors include her husband, John; four daughters, Josephine Deolores Calhoun, Virginia Wiley, Wilma Bonner, all of Helena and Patricia Barker of Bozeman, and one son, Thomas John Bonner, a student of Mar-mion Military Academy, Aurora, Ill.; five grandchildren, Shawn Calhoun, John, Robert and Jan Barker and Josephine Wiley; two brothers, Henry Martin, Butte; Emmett Martin, New York City, and an uncle, James Harrington, Salt Lake City.

NOW, THEREFORE, BE IT RESOLVED BY THE 39TH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA DULY ASSEMBLED:

That we officially offer and promise our tribute to the memory of this great citizen of this state by expressing our deep sorrow at her passing and by tendering to her bereaved family the assurance of our deepest sympathy.

RAY J. WAYRYNEN
Speaker of the House.

CHARLES CEROVSKI
Majority Floor Leader.

JAMES P. LUCAS
Minority Floor Leader.

Motion was made by Cerovski that the House adjourn until 11:30 a.m. Saturday, February 20, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FORTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 20, 1965

House convened, pursuant to adjournment, at 11:30 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Boughton, Brenner, Lombardi, Sheehy, excused; and Swanz, not voting; Cerovski, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-seventh Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 189, respectfully report as follows: That Senate Bill No. 189 be concurred in.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 217, respectfully report as follows: That Senate Bill No. 217 be concurred in.

TWEDT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 71, respectfully report as follows: That Senate Bill No. 71 be concurred in.

SHEEHY, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

To: Senators, Representatives of the 39th Legislative Assembly
From: Representative Thomas Judge
Re: Montana Criminal Law Commission

The 38th Legislative Assembly passed HB 203 which established a commission to suggest changes in the criminal laws of Montana to the end of uniformity in definition of crimes, arrests, trials, sentencing, pardon and parole.

As the sponsor of this legislation, I requested a report on the progress of the commission from Chairman Wesley Castles.

I am very impressed with the work to date and with the ability and dedication of the members of the commission.

The interim report is attached. I hope it will be of interest to you.

Sincerely,

Thomas L. Judge /s/
Thomas L. Judge,
Representative,
Lewis and Clark County.

INTERIM REPORT
MONTANA CRIMINAL LAW COMMISSION

The Montana Criminal Law Commission was organized following the 1963 Legislative Session pursuant to Chapter 103 of the 1963 Session Laws of Montana. The purpose of the act was to establish a commission to suggest changes in the criminal laws of Montana, to the end of uniformity in definitions of crimes, arrests, trials, sentencing, pardon and parole. Associate Justice Wesley Castles was designated chairman of the commission and the following persons were appointed to the commission.

Louis Forsell, Esq., former Assistant Attorney General, Helena, Montana, as secretary.

Honorable Robert J. Nelson, District Judge, Great Falls, Montana.

Honorable W. W. Lessley, District Judge Bozeman, Montana.

Honorable E. Gardner Brownlee, District Judge, Hamilton, Montana.

Russell K. Fillner, Esq., County Attorney, Forsyth, Montana.

William F. Crowley, Esq., Assistant County Attorney, Helena, Montana.

M. Dean Jellison, Esq., Attorney at Law, Kalispell, Montana.

Charles F. Moses, Esq., Attorney at Law, Billings, Montana.

John M. McCarvel, Esq., Attorney at Law, Great Falls, Montana.

Professor Larry M. Elison, School of Law, Missoula, Montana.

Professor Edwin W. Briggs, School of Law, Missoula, Montana.

The first meeting was held at the Law School in Missoula on April 27, 1963. At that time the difficult task of organizing a systematic approach to the revision of the criminal law was commenced. After considerable thought, revision and discussion, an organizational scheme was agreed upon. Criminal procedure was to be considered first to be followed by study and revision of the substantive criminal code. The Commission started with the Code of Criminal Procedure because it was the concensus of the Com-

mission members that criminal procedure presented the most urgent problems. The Code of Criminal Procedure is at best unable to provide for effective administration of criminal law in accordance with the changing content of criminal law, particularly as outlined by the federal courts. At this date the Commission has completed chapters on Scope and Purpose, Jurisdiction, Venue, Competency of Accused, Arrest, Bail, Preliminary Examination, and Arraignment, and has discussed and nearly completed Coroner's Inquest, Search and Seizure, Pre-trial Motions, Trial and Post-trial Motions. Proposal for Sentencing and Post-Conviction Remedies remain to be discussed and completed.

The Commission hopes to complete the task of revising the Code of Criminal Procedure by June 1, 1965. The first step in the substantive process of revision was to obtain and distribute source material. As specific guide lines the Commission has reviewed the new Illinois Code of Criminal Law and Procedure, the Federal Rules of Criminal Procedure, the new Kentucky Code of Procedure, the American Law Institute's Code of Criminal Procedure and Model Penal Code, Colorado's court adopted rules of procedure, and selected material made available by the New York and California Revision Commission. Following the collection, distribution and individual study of available source material, the Commission was divided into study groups of two or three persons. Each group was charged with the responsibility of studying and drafting proposed revisions on the various subdivisions of criminal procedure. Proposals were submitted to the entire Commission which meets once each month for review leading either to approval or requests to reconsider some portion of the proposal.

One of the more difficult problems that has faced the Commission is the procedure for determining insanity. Two of the new constructive proposed changes in this area include:

(a) Requirement of notice that defendant is going to rely on the defense of insanity;

(b) And the provision that allows the district court judge to maintain a continuing jurisdiction over any person acquitted by reason of insanity, that is, such person cannot be released into the community until the district judge approves his release.

A second area of substantial importance and difficulty which has required change is provision for providing access to counsel. The new United States Supreme Court decisions require that counsel be provided for each defendant at every stage of the criminal proceeding. Whether this requirement extends to misdemeanors has not been clearly established. To meet the demands of the Federal Supreme Court it is proposed that the Montana law be revised to require access to counsel and, as necessary, appointment of counsel in all felony cases as soon as the accused person first comes before any judicial officer of the law. As to misdemeanors, appointment of counsel will be made at the discretion of the district judge. This approach is intended to provide the necessary flexibility to keep abreast of the fast-paced federal requirement of due process. These are but two examples of the changes that are being proposed by the Criminal Law Commission. Each area of the criminal law is being studied and changes are being proposed wherever it is deemed they are needed. (See attached file of tentative final drafts of Chapters 1-10.)

The work on criminal procedure is nearing completion, however, criminal procedure is only part of the entire field of criminal law. The Commission is hopeful that the substantive portion of criminal law can be completed by the 1967 Legislative Session; this approximation may be overly optimistic. The Commission is attempting to do in four years, and virtually without funds, that which has been done by groups from other states in not less than nine years, and with the aid of hundreds of thousands of dollars. Fortunately the members of the group are both able and dedicated to the improvement of the law. Unfortunately, each individual's time is limited. While we feel that the Commission has made remarkable progress, much remains to be done.

It is extremely important to the success of the work being done by the Commission that it be viewed as a whole and therefore not enacted piecemeal. Criminal law and procedure should be an integrated body of law. Whether it is in fact integrated or not, attorneys and judges are required to work with it as a single integrated body of law and improvise where necessary to make all parts work together for the single purpose of dealing with antisocial behavior. For example, criminal law definitions of insanity are not very meaningful at best, and if the definitions are not seen in the context of the procedures as to how the defense of insanity functions the definitions become completely meaningless. Further, as insanity is used as a defense to a charge of murder, it becomes important to understand the substantive definition of murder and before the total impact of the law of murder and the definition of insanity is seen in proper perspective, it must be viewed in conjunction with the sentence imposed, the sentencing procedure, and the means of carrying out the sentence.

It is made more apparent with every Federal Court decision that if we are to successfully protect society and the individual against criminal activity, while at the same time protecting individual rights guaranteed by the Constitution, our Code of Criminal Law must be revised. It must be revised so that each part fits with every other part. The commission hopes finally to present a complete up to date, recodified package of Criminal Law and Procedure that will give Montana one of the best in the nation.

As members of the Criminal Law Commission, we request cooperation and support for our endeavor and urge restraint in acting upon hastily considered patchwork modification of the criminal law.

WESLEY CASTLES,
Chairman.

MESSAGES FROM THE SENATE

February 19, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 161, introduced by Bardanouve and Eskildsen, was this day recommended for non-concurrence by the Senate Committee on Judiciary, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 19, 1965

Mr. Speaker:

In compliance with your request, the Senate herewith returns Senate Bill No. 61, introduced by Hibbard, et al., for further consideration.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, appropriations measures at length, and referred to committee:

House Bill No. 522, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the University of Montana, Montana State University, the Agricultural Experiment Station,

the Co-operative Agricultural Extension Service, Montana College of Mineral Science and Technology, Western Montana College, Eastern Montana College, Northern Montana College, Western Interstate Commission for Higher Education, Office of Executive Secretary of Montana University System and the Board of Education for operation and capital for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

Motion was made by Eskildsen that the House move to Order of Business No. 9. Motion carried.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner.

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Cerovski, Lombardi, Sheehy. Total 5.

Senate Bill No. 77 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Cerovski, Lombardi, Sheehy. Total 5.

Senate Bill No. 17 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Nelson, Nichols, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Slaby, Tooke, Ulmer, Watt, Willits, Woodard, Mr. Speaker. Total 66.

Noes: Aasheim, Dye, Garrison, Harper, Johnson, McOmber, Meccage, Nefzger, Nutting, O'Hair, Prevost, Raundal, Shugrue, Smiley, Smith, Spilde, Stranahan, Sullivan, Tracy, Twedt, Williams, Zimmer. Total 22.

Absent or not voting: Obstarczyk, Swanz. Total 2.

Excused: Boughton, Brenner, Lombardi, Sheehy. Total 4.

Senate Bill No. 102 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Mr. Speaker. Total 87.

Noes: Garrison, Williams. Total 2.

Absent or not voting: Swanz, Zimmer. Total 2.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 187 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 87.

Noes: Smith, Woodard. Total 2.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Cerovski, Lombardi. Total 4.

Senate Bill No. 146 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 85.

Noes: East, Jenkins, Smith, Woodard. Total 4.

Absent or not voting: Bardanouve, Swanz. Total 2.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 124 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: Smith. Total 1.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 78 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Smith, Swanz. Total 2.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 14 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Tooke, Ulmer, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Bardanouve, Bollinger, Deschamps, Harper, Selstad, Slaby, Tracy, Twedt, Watt. Total 9.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 208 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lund, MacCal-

man, McDonald, McNamara, McOmber, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 58.

Noes: Asbjornson, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Mather, McNamer, Nelson, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Tooke, Ulmer, William, Woodard. Total 32.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 157 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 72.

Noes: Asbjornson, Broeder, Crum, Falkenstern, Felt, James, Jenkins, Loman, Lucas, MacCalman, Nutting, Pierce, Schye, Smith, Spilde, Williams, Woodard. Total 17.

Absent or not voting: Rygg, Swanz. Total 2.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 132 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Smith, Stranahan, Sullivan. Total 3.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 131 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy,

Shugrue, Slaby, Smiley, Spilde, Stranahan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Sullivan. Total 1.

Absent or not voting: Smith, Swanz. Total 2.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 93 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 70.

Noes: Bollinger, Crum, Deschamps, East, Falkenstern, Felt, Garrison, James, Jenkins, Lucas, Lund, Nutting, Rehberg, Selstad, Smiley, Smith, Spilde, Tooke, Ulmer, Williams. Total 20.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 135 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Cregg, Deschamps, Flynn, Johnson, Tracy. Total 5.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 126 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Deschamps, Johnson, Laas. Total 3.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 62 was concurred in by the following vote:

Ayes: Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, McDonald, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 72.

Noes: Aasheim, Asbjornson, Casey, East, Falkenstern, Felt, James, Lucas, Mather, McNamara, McNamer, O'Hair, Prevost, Scherf, Selstad, Sheehy, Smith. Total 17.

Absent or not voting: Swanz, Zimmer. Total 2.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 134 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Hanks, Smiley, Smith. Total 3.

Absent or not voting: Garrison, Swanz. Total 2.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 64 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Cerovski, Christiansen, Cregg, Cummings, East, Egan, Eklund, Eskildsen, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Johnson, Judge, Laas, Lewis, Loman, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 59.

Noes: Bardanouve, Broeder, Casey, Crum, Delano, Deschamps, Dye, Falkenstern, Felt, Fischer, Flynn, Garrison, Haines, James, Jensen, Leuthold, Lucas, McNamara, Nutting, Obstarczyk, Rehberg, Rygg, Schye, Smiley, Smith, Sullivan, Tooke, Ulmer, Williams, Woodard. Total 30.

Absent or not voting: Nichols, Swanz. Total 2.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 41 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall,

Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Deschamps, Sullivan, Williams. Total 3.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Bill No. 209 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Absent or not voting: Swanz. Total 1.

Excused: Boughton, Brenner, Lombardi. Total 3.

Senate Joint Resolution No. 13 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, Eklund, Eskildsen, Falkenstern, Felt, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Deschamps, East, Egan, Flynn, Hanks, Jenkins, McOmber, Selstad. Total 8.

Absent or not voting: Fischer, Rehberg, Swanz. Total 3.

Excused: Boughton, Brenner, Lombardi. Total 3.

Motion was made by Judge that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Judge that the House adopt the Interim Report of the Montana Law Commission, as read this morning. Motion carried. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Ulmer of Custer in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Joint Resolution No. 11 be amended as follows:

1. On page 2, line 19 of the original bill, which is page 3, line 42 of the printed bill, add after the word "to" and before the words "the Congress" the words "each member of".

2. Further amend on page 2, line 20 of the original bill, which is page 3, line 43 of the printed bill by deleting the words "and to each member of Montana's Congressional Delegation".

And as so amended, be concurred in.

That Senate Bill No. 137 be concurred in.

That Senate Bill No. 128 be concurred in.

That Senate Bill No. 130 be concurred in.

That consideration of Senate Bill No. 26 be passed for the day.

That Senate Bill No. 127 be concurred in.

That Senate Bill No. 92 be concurred in.

That consideration of Senate Bill No. 125 be passed for the day.

That Senate Bill No. 153 be concurred in.

That Senate Bill No. 84 be concurred in.

That consideration of Senate Bill No. 96 be passed for the day.

That Senate Bill No. 181 be concurred in.

That Senate Bill No. 115 be concurred in.

That the committee rise and report.

ULMER, Chairman.

Report adopted.

Motion was made by Gilligan that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Gilligan that the House reconsider its action on Senate Bill No. 94 on Third Reading this morning. Motion carried.

Motion was made by Gilligan that Senate Bill No. 94 be placed on Second Reading. Motion carried.

Motion was made by Schepens that Senate Bill No. 32 be removed from the Committee on Judiciary and rereferred to the Committee on Livestock and Ranges. Motion was lost.

February 20, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: 81, 169, 22, 259, 318, 373, 87, 293, 201, and 457.

HARPER, Chairman.

I have examined House Bill No. 457 introduced by me and find the same to be correct.

BAILEY.

I have examined House Bill No. 201 introduced by me and find the same to be correct.

DELANO.

I have examined House Bill No. 293 introduced by me and find the same to be correct.

BASHOR.

I have examined House Bill No. 87 introduced by me and find the same to be correct.

CHRISTIENSEN.

I have examined House Bill No. 373 introduced by me and find the same to be correct.

CASEY.

I have examined House Bill No. 318 introduced by me and find the same to be correct.

HOLTZ.

I have examined House Bill No. 258 introduced by me and find the same to be correct.

SULLIVAN.

I have examined House Bill No. 259 introduced by me and find the same to be correct.

SULLIVAN.

I have examined House Bill No. 22 introduced by me and find the same to be correct.

WATT.

I have examined House Bill No. 169 introduced by me and find the same to be correct.

BROEDER.

I have examined House Bill No. 81 introduced by me and find the same to be correct.

JUDGE.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 457, 201, 293, 87, 373, 318, 258, 259, 22, 169, 81.

The Chief Clerk requested that the House revert to Order of Business No. 5.

MESSAGES FROM THE SENATE

February 20, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 46, introduced by Nelson and Ulmer.

House Bill No. 133, introduced by Cummings, et al.

House Bill No. 195, introduced by Crum, et al.

House Bill No. 222, introduced by Bardanouve.

House Bill No. 250, introduced by Highways Committee.

House Bill No. 268, introduced by Schye and Deschamps.

House Bill No. 436, introduced by McNamer and Mather.

House Bill No. 438, introduced by McNamer and Mather.

House Bill No. 451, introduced by Healy, et al.

House Bill No. 472, introduced by Gilligan, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 20, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 130, introduced by Bollinger, et al.

House Bill No. 246, introduced by Bailey, et al.

House Bill No. 313, introduced by Gilligan, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, appropriation measures at length and referred to committee:

House Joint Resolution No. 39, introduced by Gerke, Twedt, Watt, Gilligan, Healy, Sheehy, O'Leary, Fischer, Johnson, Cregg, Flynn, Deschamps, Slaby: A Joint Resolution of the Senate and House of Representatives of the Thirty-ninth Legislative Assembly providing for consent and payment for projects not included in the general fund budget and for Legislative consent for capitol building construction program. Referred to Committee on Appropriations.

Motion was made by Eskildsen that the House adjourn until 10:00 a. m. Monday, February 22, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FIFTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 22, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Fischer, James, Loman, Rehberg, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Forty-Eighth Legislative Day, find the same to be correct.

ESKILDSSEN, Vice-Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 20, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 83, introduced by Slaby, Lombardi and McNamara was this day recommended for non-concurrence by the Senate Committee on Commerce & Labor, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Gill that an additional five days time be granted for the special report from the Fish and Game Committee. Motion carried.

Motion was made by McNamara that the special committee investigating High School Activities be granted an additional two days time. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Pierce of Yellowstone in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 26 be amended in Section 1 by inserting after the period in line 11 of the printed bill, being line 21 of the original bill, the sentence "Spouses of American citizens may also qualify under this provision."

And as so amended, be concurred in.

That Senate Bill No. 125 be concurred in.

That Senate Bill No. 96 be concurred in.

That Senate Bill No. 94 be concurred in.

That House Bill No. 91 do pass.

That Senate Bill No. 189 be concurred in.

That Senate Bill No. 217 be concurred in.

That Senate Bill No. 71 be placed at the bottom of the list.

That Senate Amendment to House Bill No. 130 be concurred in.

That Senate Amendments to House Bill No. 246 be concurred in.

That Senate Amendments to House Bill No. 313 be not concurred in, but that the Speaker appoint a conference committee of three members to meet with a like committee of the Senate.

That Senate Amendment to House Bill No. 213 be concurred in.

That Senate Amendment to House Bill No. 363 be concurred in.

That Senate Amendment to House Bill No. 186 be concurred in.

That Senate Amendment to House Bill No. 185 be concurred in.

That Senate Bill No. 71 be concurred in.

That Senate Bill No. 182 be concurred in.

That the Committee rise and report.

PIERCE, Chairman.

Report adopted.

Mr. Speaker in the Chair.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 11 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Laas, Nutting. Total 2.

Excused: James, Loman, Rehberg. Total 3.

Senate Bill No. 137 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: East, Ulmer. Total 2.

Absent or not voting: Nutting. Total 1.

Excused: James, Loman, Rehberg. Total 3.

Senate Bill No. 128 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather,

Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. 91.

Noes: None.

Absent or not voting: Nutting. Total 1.

Excused: James, Loman. Total 2.

Senate Bill No. 130 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Nutting. Total 1.

Excused: James, Loman. Total 2.

Senate Bill No. 127 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: Stranahan. Total 1.

Absent or not voting: Hall, Nutting, Obstarczyk. Total 3.

Excused: James, Loman. Total 2.

Senate Bill No. 92 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg,

Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Cregg, Egan, Lewis, Raundal, Swanz. Total 5.

Absent or not voting: Nutting, Obstarczyk. Total 2.

Excused: James, Loman. Total 2.

Senate Bill No. 153 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 88.

Noes: Atkins, Broeder. Total 2.

Absent or not voting: Nutting, Zimmer. Total 2.

Excused: James, Loman. Total 2.

Senate Bill No. 84 was concurred in by the following vote:

Ayes: Atkins, Bailey, Bashor, Bollinger, Broeder, Casey, Cerovski, Cregg, Crum, Delano, Deschamps, Dye, Egan, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Lucas, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits. Total 66.

Noes: Aasheim, Asbjornson, Bardanouve, Boughton, Brenner, Christiansen, Cummings, East, Eklund, Eskildsen, Falkenstern, Garrison, Harper, Laas, Lombardi, Lund, Nefzger, Raundal, Smith, Tracy, Williams, Woodard, Mr. Speaker. Total 23.

Absent or not voting: Nichols, Nutting, Zimmer. Total 3.

Excused: James, Loman. Total 2.

Senate Bill No. 181 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Nutting. Total 1.

Excused: James, Loman. Total 2.

Senate Bill No. 115 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falckenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: Selstad. Total 1.

Absent or not voting: Broeder, Nutting. Total 2.

Excused: James, Loman. Total 2.

February 22, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 438, 436, 184, 181, 183, 182, 250, 472, 268, 177, 171, 222, 195, 451, 46, 336, and 133.

HARPER, Chairman.

I have examined House Bill No. 438 introduced by me and find the same to be correct.

McNAMER.

I have examined House Bill No. 436 introduced by me and find the same to be correct.

McNAMER.

I have examined House Bill No. 184 introduced by me and find the same to be correct.

McNAMER.

I have examined House Bill No. 181 introduced by me and find the same to be correct.

McNAMER.

I have examined House Bill No. 183 introduced by me and find the same to be correct.

McNAMER.

I have examined House Bill No. 182 introduced by me and find the same to be correct.

McNAMER.

I have examined House Bill No. 250 introduced by me and find the same to be correct.

LAAS.

I have examined House Bill No. 472 introduced by me and find the same to be correct.

GILLIGAN.

I have examined House Bill No. 268 introduced by me and find the same to be correct.

SCHYE.

I have examined House Bill No. 177 introduced by me and find the same to be correct.

DELANO.

I have examined House Bill No. 171 introduced by me and find the same to be correct.

HANKS.

I have examined House Bill No. 222 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 195 introduced by me and find the same to be correct.

CRUM.

I have examined House Bill No. 451 introduced by me and find the same to be correct.

HEALY.

I have examined House Bill No. 46 introduced by me and find the same to be correct.

NELSON.

I have examined House Bill No. 336 introduced by me and find the same to be correct.

HAINES.

I have examined House Bill No. 133 introduced by me and find the same to be correct.

CUMMINGS.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 182, 250, 183, 181, 184, 436, 438, 472, 268, 177, 336, 46, 451, 195, 133, 171, and 222.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Lucas that Senate Bill No. 61 which was returned to the House, be placed on Second Reading. Motion carried.

Motion was made by Hanks that House Resolutions Nos. 10 and 11 be taken from the Committee on Business and Industry and rereferred to the Committee on Agriculture. Motion carried.

Motion was made by Cerovski that the House recess until 3:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 171, respectfully report as follows: That Senate Bill No. 171 be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 172, respectfully report as follows: That Senate Bill No. 172 be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 27, respectfully report as follows: That Senate Bill No. 27 be not concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 8, respectfully report as follows: That Senate Joint Resolution No. 8 be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 192, respectfully report as follows: That Senate Bill No. 192 be concurred in.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be referred to Appropriations Committee.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 149, respectfully report as follows: That Senate Bill No. 149 be concurred in.

WATT, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 20, respectfully report as follows: That Senate Bill No. 20 be concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 225, respectfully report as follows: That Senate Bill No. 225 be concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 113, respectfully report as follows: That Senate Bill No. 113 be not concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 522, respectfully report as follows: That House Bill No. 522 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 202, respectfully report as follows: That Senate Bill No. 202 be concurred in.

SHEEHY, Chairman.

Motion was made by Sheehy that the committee report be adopted.

Substitute motion was made by MacCalman that the committee report not be adopted. Sheehy moved that a roll call vote be taken on the substitute motion, with the results thereof spread on the Journal. Sufficient seconds arose, and the substitute motion failed by the following vote:

Ayes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Healy, James, Jenkins, Jensen, Leuthold, Loman, Lucas, MacCalman, Mather, McNamara, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard, Mr. Speaker. Total 42.

Noes: Aasheim, Atkins, Bailey, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, Lund, McDonald, McOmber, Meece, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 50.

Paired: Haines, aye; Bardanouve, no. Total 2.

Absent or not voting: None.

Excused: None.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 7, respectfully report as follows: That Senate Bill No. 7 be amended as follows:

1. Amend the title in lines 8 and 9 of the original bill, being line 6 of the title of the printed bill, by striking the words "tuberculosis sanitarium" and inserting in lieu thereof the words "pulmonary disease hospital".

2. Amend Section 3, page 3, after line 18 of the original bill, being page 4, Section 3, after line 11 of the printed bill, by adding the following paragraph: "No state institution may be moved, discontinued or abandoned without prior consent of the legislative assembly."

3. Amend Section 3, page 3, line 10 of the original bill, which is Section 3, page 4, line 3 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

4. Amend Section 13, page 9, line 3 of the original bill, which is Section 13, page 10, line 7 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

5. Amend page 11, line 11 of the original bill, which is page 12 after Section 16 in the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

6. Amend Section 17, page 11, line 12 of the original bill, which is Section 17, page 12, line 1 of the printed bill, by placing after "Section 17." the figure "(1)" before the word "The".

7. Amend Section 17, page 11, line 13 of the original bill, which is Section 17, page 12, line 2 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

8. Further amend Section 17, page 11, line 15 of the original bill, which is Section 17, page 12, line 4 of the printed bill, by striking the remainder of this section beginning with "(1) Inpatient care", and inserting in lieu thereof the following material: "(a) Treatment of tuberculosis and silicosis (commonly called miner's consumption)."

(2) If there are space and funds available, the hospital shall also treat the following:

(a) Emphysema, bronchiectasis, carcinoma of the lung and other diseases of the lung pertaining to pulmonary disorders.

(b) Geriatric and senile patients afflicted with pulmonary disorders and patients who are residents of another state institution."

9. Amend Section 18, page 11, lines 26 and 27 of the original bill, which is Section 18, page 13, lines 1 and 2 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

10. Amend Section 19, page 12, line 2 of the original bill, which is Section 19, page 13, line 2 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

11. Amend Section 65, page 26, line 30 of the original bill, which is Section 65, page 27, lines 3 and 4 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

12. Amend Section 72, page 30, line 13 of the original bill, which is Section 89, page 41, line 5 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

13. Amend Section 75, page 32, line 4 of the original bill, which is Section 92, page 42, lines 9 and 10 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

14. Amend Section 76, page 32, line 11 of the original bill, which is Section 93, page 43, lines 5 and 6 of the printed bill, by deleting the words "Tuberculosis Sanitarium" and inserting in lieu thereof the words "Pulmonary Disease Hospital".

And, as amended, be concurred in.

ESKILDSSEN, Chairman.

Report adopted.

February 22, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 91.

JAMES, Vice-Chairman.

MESSAGE FROM THE GOVERNOR

February 20, 1965
at 2:11 p. m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 457, 201, 293, 87, 373, 318, 258, 259, 22, 169, 81.

TIM BABCOCK, Governor
Lucille M. Baker, Secretary

MESSAGES FROM THE SENATE

February 22, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 437, introduced by McNamer and Mather was this day read third time and concurred in, title and history agreed to, and is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

February 22, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 60, introduced by Zimmer, et al, was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

February 22, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 300, introduced by Zimmer, et al.

House Bill No. 301, introduced by Zimmer, et al.

House Bill No. 467, introduced by Hall and Gilfeather.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

February 22, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 71, introduced by Twedt, et al, failed to be concurred in on third reading this day and is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, appropriation measures at length, and referred to Committee on Appropriations:

House Bill No. 523, introduced by Johnson, Fischer, Hall: A bill for an act entitled: "An act appropriating the sum of three hundred and sixty-six thousand dollars (\$366,000.00) to pay the claim of Bruce Blattner, which claim was heard by the State Board of Examiners on the 14th day of December, 1964, and which the said State Board of Examiners recom-

mended to the Legislative Assembly for consideration and appropriate action for injuries received, to wit: permanent and total paralysis of the lower extremities and permanent and almost total paralysis of the upper extremities for which claimant will require constant nursing and medical care including therapy, sustained in an automobile accident while returning from a college sponsored picnic attended by the residents of Morgan Hall, the mens dormitory of Northern Montana College which was a traditional and college sponsored function at Northern Montana College, and for which there was not furnished transportation for the claimant which resulted in the claimant being forced to ride in a private automobile, which overturned while returning on the gravel road from the picnic site, which resulted in said injuries; providing an effective date." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Pierce of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 61 be amended in Section 1 by striking out in line 10 of the printed bill by deleting the "comma" after the word "thereafter" and inserting a "period" in lieu thereof,

And as so amended, be concurred in.

That the Committee rise and report.

Report adopted.

PIERCE, Chairman.

February 20, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 457, 201, 22, 293, 87, 373, 318, 258, 259, 169, and 81 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:11 o'clock p. m., delivered to the Governor for his approval.

HARPER, Chairman.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendment to House Bill No. 130 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Bardanouve, Boughton, Gerke, Gilligan, Lucas, McNamer, Schye, Spilde, Sheehy, Swanz. Total 10.

Excused: None.

Senate Amendment to House Bill No. 246 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Shugrue, Slaby, Smiley, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Falkenstern, Garrison, Smith, Spilde, Stranahan. Total 5.

Absent or not voting: Bardanouve, Gerke, Gilligan, Lucas, McNamer, Scherf, Schye, Sheehy, Swanz. Total 9.

Excused: None.

Senate Amendment to House Bill No. 213 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, MacCalman, Mather, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: McDonald. Total 1.

Absent or not voting: Bardanouve, Gerke, Gilligan, Lucas, Lund, McNamer, Scherf, Schye, Sheehy, Swanz. Total 10.

Excused: None.

Senate Amendments to House Bill No. 186 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Aasheim, Bardanouve, Gerke, Lucas, McNamer, Rehberg, Scherf, Schye, Sheehy, Swanz. Total 10.

Excused: None.

Senate Amendments to House Bill No. 185 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 85.

Noes: None.

Absent or not voting: Bardanouve, Gerke, Lucas, McNamer, Scherf, Schye, Sheehy, Swanz, Mr. Speaker. Total 9.

Excused: None.

Senate Amendments to House Bill No. 363 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bashor, Boughton, Brenner, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 67.

Noes: Bailey, Bollinger, Dye, Falkenstern, Garrison, Hanks, Jenkins, Leuthold, McDonald, Rehberg, Selstad, Smiley, Smith, Spilde, Ulmer, Williams, Woodard. Total 17.

Absent or not voting: Bardanouve, Cerovski, East, Gerke, Lucas, McNamer, Scherf, Schye, Sheehy, Swanz. Total 10.

Excused: None.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate on House Bill No. 313: Gilligan, Sheehy, Felt.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Tuesday, February 23, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk.

FIFTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 23, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fiftieth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

February 23, 1965

Mr. Speaker: We your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 86.

HARPER, Chairman.

I have examined House Bill No. 86 introduced by me and find the same to be correct.

NUTTING.

The Speaker signed the following bill in open session, the title having first been read: House Bill No. 86.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 220, respectfully report as follows: That Senate Bill No. 220 be not concurred in.

JUDGE, Chairman.

Motion was made by Judge for adoption of the Committee report.

Substitute motion was made by Obstarczyk that Senate Bill No. 220 be placed on Second Reading. Motion failed. Division having been called for, the substitute motion failed. Request was made by Aasheim that his vote be changed from aye to no. The Speaker ruled that the vote having been announced could not then be changed. Motion was made by Aasheim that the decision of the Chair be referred to the Rules Committee. Motion failed. Original motion by Judge that the Committee report be adopted was carried.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 83, respectfully report as follows: That Senate Bill No. 83 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 190, respectfully report as follows: That Senate Bill No. 190 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 144, respectfully report as follows: That Senate Bill No. 144 be concurred in.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 204, respectfully report as follows: That Senate Bill No. 204 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 176, respectfully report as follows: That Senate Bill No. 176 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 200, respectfully report as follows: That Senate Bill No. 200 be concurred in.

AASHEIM, Chairman.

Motion was made by Aasheim for adoption of the Committee report.

Substitute motion was made by James that Senate Bill No. 200 be not concurred in. After debate, Aasheim moved the previous question. Motion carried. Lucas requested a roll call vote with the results thereof to be spread on the Journal. Sufficient seconds arose, and the roll call vote was taken. Substitute motion failed to carry by the following vote:

Ayes: Asbjornson, Boughton, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, James, Jenkins, Jensen, Leuthold, Loman, Lucas, MacCalman, Mather, McNamer, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Tooke, Ulmer, Williams, Woodard. Total 32.

Noes: Aasheim, Atkins, Bailey, Bardanoue, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, Lund, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 58.

Absent or not voting: Bashor, Broeder, Laas, Swanz. Total 4.

Excused: None.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 59, respectfully report as follows: That Senate Bill No. 59 be amended as follows:

Amend page 3, line 10, of the original bill, strike the figures "\$25,000" and insert in lieu thereof the figures "\$20,000; \$10,000;".

And further amend page 3, line 12 of the original bill, strike the words and figures "twenty-five thousand dollars (\$25,000)" and insert in lieu thereof the words and figures "twenty thousand dollars (\$20,000)".

And further amend page 3, line 13 of the original bill, insert the words and figures "ten thousand dollars (\$10,000) transferred" between the words "or" and "to".

And as amended, be concurred in.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 95, respectfully report as follows: That Senate Bill No. 95 be amended as follows:

Amend page 1, line 8, in the title of the original bill, strike the following words: "providing for assumption of jurisdiction by other district judges within the same judicial district; providing and limiting time during which disqualification may be had;"

And further amend page 2, line 5, strike the word "shall" and reinsert the word "may" on line 4.

And further amend page 2, line 9, by striking all of the material, line 9 through 18, starting with the word "no" and ending with the word "court".

And further amend page 3, line 27, by striking all of the material lines 27 through page 4, line 2, starting with the word "and" and ending with the word "then".

An as amended, be concurred in.

Report adopted.

SHEEHY, Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 213, respectfully report as follows: That Senate Bill No. 213 be not concurred in.

Report adopted.

SHEEHY, Chairman.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 221, respectfully report as follows: That Senate Bill No. 221 be amended as follows:

Strike punctuation "period" and "quote" on line 6 page 1 of the original bill and insert in lieu thereof the punctuation ";" and add the words: "and providing an effective date."

And further amend as follows:

Add the following words and punctuation after the words "United States." on line 13, page 1 of the original bill:

"Section 2. This act shall be effective as to all taxable periods ending after June 30, 1967, whether on the calendar or fiscal year basis."

And as amended, be concurred in.

Report adopted.

HEALY, Chairman.

MESSAGES FROM THE SENATE

February 22, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 372, introduced by Delano, et al

House Bill No. 392, introduced by Delano

House Bill No. 459, introduced by Hall

Sub. House Bill No. 496, introduced by Cerovski

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

House Resolution No. 12, introduced by Gill: A resolution of the House of Representatives of the State of Montana expressing its intent that the definition of angling as provided in the Fish and Game Laws shall permit snagging of paddlefish. Referred to Committee on Fish and Game.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriation measures at length, and referred to committees:

House Bill No. 524, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain state agencies for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

House Bill No. 525, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the Attorney General, State Auditor, Governor, Railroad and Public Service Commission, Secretary of State, Supreme Court, State Treasurer and Superintendent of Public Instruction for the operation and capital for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Lund of Daniels in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 171 be concurred in.

That Senate Bill No. 172 be concurred in.

That Senate Bill No. 173 be not concurred in.

That consideration of Senate Bill No. 63 be passed for this day.

That Senate Joint Resolution No. 8 be concurred in.

That Senate Bill No. 192 be placed at the bottom of the list.

That Senate Bill No. 149 be concurred in.

That the Committee rise and report.

LUND, Chairman.

Motion was made by Lund that the Committee report be adopted.

Substitute motion was made by Felt that Senate Bill No. 173 be segregated from the Committee of the Whole report, and that as so amended, the report be adopted. Substitute motion was made by Harper that the substitute motion by Felt be laid on the table, that a roll call vote be taken with the results thereof spread on the Journal. As a substitute motion for all motions pending, Sheehy moved that the substitute motion by Felt be divided, that a roll call vote be taken, with the results thereof to be spread on the Journal.

That Speaker requested the Speaker Pro Tem take the Chair while the Speaker rose to a point of personal privilege.

The Speaker returned to the Chair.

The motion to segregate Senate Bill No. 173 from the Committee of the Whole report carried by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Gilligan, Haines, Hanks, James, Jensen, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, Meccage, Nelson, Nichols, Nutting, O'Leary, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 53.

Noes: Atkins, Bardanouve, Brenner, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gunderson, Hall, Harper, Healy, Holtz, Johnson, Judge, Lombardi, McNamara, McOmber, Obstarczyk, O'Hair, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Tracy, Twedt, Willits, Zimmer. Total 38.

Absent or not voting: Jenkins, Laas, Nefzger. Total 3.

Excused: None.

Motion was made by Lund that the Committee of the Whole report be adopted as amended. Motion carried.

Motion was made by Cerovski that the House pass Order of Business No. 9. Motion carried.

Motion was made by Cerovski that the House revert to Order of Business No. 5. Motion carried.

MESSAGES FROM THE SENATE

February 23, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration House Bill No. 71, introduced by Twedt, et al.

ALLEN DONOHUE
Secretary of the Senate

February 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 504, introduced by McNamara, et al, was this day recommended for non-concurrence by the Senate Committee on Taxation, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the wishes of the Senate and return House Bill No. 71 to them for further consideration. Motion carried.

Motion was made by Cerovski that the House pass to Order of Business No. 12. Motion carried.

Motion was made by Cerovski that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 118, respectfully report as follows: That Senate Bill No. 118 be not concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 6 be not concurred in.

WATT, Chairman.

Report adopted.

Motion was made by Bashor that the amendments for Senate Bill No. 111 be considered as having been read. Motion carried.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 111, respectfully report as follows: That Senate Bill No. 111 be amended as follows:

Amend Section 4, line 4, page 3 of the original bill, being Section 4, line 9, page 3 of the printed bill, strike the final period and insert in lieu thereof a comma and the following:

“provide that in all non-fire-resistant homes two stories or more in height with ten or more children, automatic sprinkler systems acceptable to the State Fire Marshall shall be installed, with said State Fire Marshal to issue for the information and use of the Board, certificates of compliance with fire regulations and standards applicable to the facilities.”

Further amend by striking the word “complete” in subsection (f), line 23, page 4 of the original bill being sub-section (f), line 35, page 4 of the printed bill.

Further amend by striking the word “Adequate” in subsection (f), line 24, page 4 of the original bill being sub-section (f), line 36, page 4 of the printed bill.

Further amend Section 8, line 11, page 5 of the original bill being Section 8, line 3, page 5 of the printed bill by striking the word “sixty” and insert in lieu thereof the word “ten”.

Further amend Section 8, line 12, page 5 of the original bill by striking the words “If the board fails to act before the license” being Section 8, line 4, page 5 of the printed bill by striking the words “If the board fails to”.

Further amend Section 8 by striking all of lines 13 and 14 on page 5 of the original bill, being lines 5 and 6 of the printed bill.

Further amend by striking all of Section 10 following the word “hearing.” beginning on line 2, page 6 of the original bill, being line 2, page 6 of the printed bill and inserting in lieu thereof the following:

“The board, after notice and opportunity for hearing to the applicant or licensee, is authorized to deny, suspend or revoke a license in any case

in which it finds that there has been a substantial failure to comply with the requirements established under this law. Such notice shall be effected by registered mail, or by personal service setting forth the particular reasons for the proposed action and fixing a date not less than thirty (30) days from the date of such mailing or service, at which the applicant or licensee shall be given an opportunity for a prompt and fair hearing. On the basis of any such hearing, or upon default of the applicant or licensee the board shall make a determination specifying its findings of fact and conclusions of law. A copy of such determination shall be sent by registered mail or served personally upon the applicant or licensee. The decision revoking, suspending or denying the license or application shall become final thirty (30) days after it is so mailed or served, unless the applicant or licensee within such thirty (30) days period, commences an action in the district court, pursuant to this section. The procedure governing hearings authorized by this section shall be in accordance with rules promulgated by the board with the advice of the advisory council. A full and complete record shall be kept of all proceedings, and all testimony shall be reported but need not be transcribed unless the decision is reviewed pursuant to this section. A copy or copies of the transcript may be obtained by any interested party on payment of the cost of preparing such copy or copies. Witnesses may be subpoenaed by either party.

Any applicant or licensee of the state aggrieved by the decision of the board after a hearing, may, within thirty (30) days after mailing or serving of notice of the decision as provided in this section, commence an action in the district court of the county in which the long term care facility is located or to be located, by the filing of a verified complaint against the board as defendant, and summons shall issue and all further proceedings be conducted as in the case of ordinary civil actions. The board shall, upon filing its answer, certify and file therewith in the Court wherein the action is pending a certified copy of the record and decision, including the complete transcript of the hearings on which the decision is based. Findings of fact by the board shall be conclusive unless substantially contrary to the weight of the evidence, or unless in conflict with law, but upon good cause shown the court may remand the case to the board to take further evidence, and the board may thereupon affirm, reverse or modify its decision. The court may affirm, modify or reverse the decision of the board and either the applicant or licensee or the board or state may apply for such further review by appeal or otherwise, as is provided by law. Pending final disposition of the matter the status quo of the applicant or licensee shall be preserved, except as the court otherwise orders in the public interest."

And as amended, be concurred in.

BASHOR, Chairman.

Report adopted.

February 23, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 268, 472, 438 and 436 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

HARPER, Chairman.

February 23, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 184, 181, 183, 182, 250, 86, 222, 171, 133, 195, 451, 46, 336, and 177 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11 o'clock, a.m., delivered to the Governor for his approval.

HARPER, Chairman.

MESSAGES FROM THE GOVERNOR

February 23, 1965 at 11:00 a.m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 184, 181, 183, 182, 250, 86, 222, 171, 133, 195, 451, 46, 336, 177, 268, 472, 438, 436.

TIM BABCOCK, Governor

by Jeanie Morris

February 23, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 22—Introduced by Watt, Sheehy, Rehberg, Fischer, et al

House Bill No. 81—Introduced by Judge, Aasheim, and Watt

House Bill No. 87—Introduced by Christiansen, Watt, Smiley, Lund

House Bill No. 122—Introduced by Schye, Swanz, Gerke and Healy

House Bill No. 141—Introduced by Pierce, Gerke, Schye

House Bill No. 169—Introduced by Broeder, and Rygg

House Bill No. 179—Introduced by Willits, Gilligan, Holtz, et al

House Bill No. 203—Introduced by Selstad, Egan, Fischer, Lund

House Bill No. 223—Introduced by Leuthold, Williams and Twedt

House Bill No. 228—Introduced by Haines, McNamara, Obstarczyk

House Bill No. 229—Introduced by Haines, McNamara, Obstarczyk

House Bill No. 293—Introduced by Bashor and Schye

House Bill No. 318—Introduced by Holtz, Gunderson and Nefzger

House Bill No. 368—Introduced by Crum, Rehberg, Pierce, et al

House Bill No. 373—Introduced by Casey, Lund, McDonald, et al

House Bill No. 409—Introduced by Flynn by request

House Bill No. 457—Introduced by Bailey and Delano

House Joint Resolution No. 15—Introduced by Bailey, Bollinger, Cervovski, Lucas, Eskildsen, et al

House Joint Resolution No. 17—Introduced by Hanks and Haines

Sincerely,

TIM BABCOCK, Governor

MESSAGES FROM THE SENATE

February 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 73, introduced by Jensen, et al

House Bill No. 75, introduced by Highways Committee

House Bill No. 76, introduced by Deschamps, et al
House Bill No. 123, introduced by Cummings, et al
House Bill No. 124, introduced by Cummings, et al
House Bill No. 194, introduced by Hanks and Gerke
House Bill No. 212, introduced by Felt, et al
House Bill No. 226, introduced by Rehberg, et al
House Bill No. 227, introduced by Rehberg, et al
House Bill No. 233, introduced by Woodard, et al
House Bill No. 270, introduced by Felt (by request)
House Bill No. 273, introduced by McNamer and Sheehy
House Bill No. 294, introduced by Bashor, et al
House Bill No. 295, introduced by Bashor, et al
House Bill No. 296, introduced by Bashor, et al
House Bill No. 303, introduced by Bardanouve, et al
House Bill No. 445, introduced by Bardanouve
House Bill No. 452, introduced by Stranahan, et al
House Bill No. 484, introduced by Tracy and Sullivan
House Joint Resolution No. 6, introduced by Boughton, et al
House Joint Resolution No. 16, introduced by Broeder
House Joint Resolution No. 22, introduced by Jensen, et al

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate admendments:

House Bill No. 49, introduced by Sheehy, et al
House Bill No. 85, introduced by Haines and Harper
House Bill No. 134, introduced by Bollinger, et al
House Bill No. 191, introduced by Johnson, et al
House Bill No. 220, introduced by Sheehy and Wayrynen
House Bill No. 247, introduced by Highways Committee
House Bill No. 261, introduced by East, et al
House Bill No. 284, introduced by Selstad and Bashor
House Bill No. 387, introduced by Twedt, et al

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 23, 1965

Mr. Speaker:

The Senate this day, acceded to the request of the House for the appointment of a Conference Committee to consider Senate Amendments to House Bill No. 313 and the President appointed:

Senator Siderius.
Senator Reardon.
Senator Turnage.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that House Bill No. 522 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Lucas that the House pass consideration of Senate Bill No. 7, now on Second Reading, for the day. Motion carried.

Felt, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse report on Senate Bill No. 27, and that the Senate be requested to return the bill to the House for further consideration. Motion was lost.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, appropriation measures at length, and referred to committee:

House Bill No. 526, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain state institutions for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Lund of Daniels in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 173 be concurred in.

That Senate Bill No. 20 be concurred in.

That Senate Bill No. 225 be concurred in.

That Senate Bill No. 202 be concurred in.

That Senate Amendments to House Bill No. 60 be concurred in.

That consideration of Senate Bill No. 192 be passed for the day.

That the Committee rise and report.

LUND, Chairman

Report adopted.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 26 was concurred in the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, MacCalman, Mather, McDonald, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 79.

Noes: Boughton, Crum, Falkenstern, Garrison, Leuthold, Lund, Schye, Selstad, Smiley, Smith, Williams, Woodard. Total 12.

Absent or not voting: Lucas, McNamer, McNamara. Total 3.

Excused: None.

Senate Bill No. 125 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Lucas, McNamer. Total 2.

Excused: None.

Senate Bill No. 96 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Woodard, Mr. Speaker. Total 78.

Noes: Broeder, Eskildsen, Felt, James, Lund, Rehberg, Rygg, Scherf, Selstad, Smiley, Smith, Ulmer, Williams, Zimmer. Total 14.

Absent or not voting: Lucas, McNamer. Total 2.

Excused: None.

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum,

Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Paired: Lucas, Aye; Boughton, No.

Absent or not voting: McNamer. Total 1.

Excused: None.

Senate Bill No. 189 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: Haines. Total 1.

Absent or not voting: Lucas, McNamer. Total 2.

Excused: None.

Senate Bill No. 217 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Absent or not voting: Lucas, McNamer. Total 2.

Excused: None.

Senate Bill No. 71 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen,

Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 75.

Noes: Boughton, Broeder, Cregg, Deschamps, Fischer, Flynn, Garrison, Gunderson, Rygg, Schepens, Schye, Smith, Sullivan, Tooke, Zimmer. Total 15.

Absent or not voting: Bardanouve, Laas, Lucas, McNamer. Total 4.

Excused: None.

Senate Bill No. 182 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, McDonald, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 55.

Noes: Asbjornson, Bardanouve, Boughton, Broeder, Casey, Crum, Dye, East, Eskildsen, Falkenstern, Felt, Garrison, Haines, Hanks, James, Jenkins, Jensen, Loman, Mather, McNamara, McOmber, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Slaby, Smiley, Smith, Spilde, Swanz, Ulmer, Williams, Woodard. Total 36.

Absent or not voting: Lucas, McNamer, Zimmer. Total 3.

Excused: None.

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Stephens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Johnson, Stranahan, Tracy, Williams. Total 4.

Absent or not voting: Bardanouve, Lucas, McNamer, Smith. Total 4.

Excused: None.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 91 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas,

Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Bardanouve, Boughton, Deschamps, Nefzger, Raundal, Smiley, Smith. Total 7.

Absent or not voting: Lucas, McNamer. Total 2.

Excused: None.

Motion was made by Judge that the House revert to Order of Business No 7. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

House Bill No. 527, introduced by Judge: A bill for an act entitled: "An act to appropriate money to the Department of Planning and Economic Development for the biennium ending June 30, 1967 to prepare a comprehensive economic development program." Referred to Committee on Appropriations.

February 23, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 185, 186, 437, 130, 213, and 363.

HARPER, Chairman.

I have examined House Bill No. 363 introduced by me and find the same to be correct.

HALL.

I have examined House Bill No. 213 introduced by me and find the same to be correct.

BAILEY.

I have examined House Bill No. 130 introduced by me and find the same to be correct.

BOLLINGER.

I have examined House Bill No. 437 introduced by me and find the same to be correct.

McNAMER

I have examined House Bill No. 186 introduced by me and find the same to be correct.

McNAMER

I have examined House Bill No. 185 introduced by me and find the same to be correct.

McNAMER

The Speaker signed the following bills in open session, the titles having first been read: House Bills No. 186, 185, 437, 130, 363, 213.

Motion was made by Ceroovski that the House adjourn until 10:00 a.m. Wednesday, February 24, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 24, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-first Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 100, respectfully report as follows: That Senate Bill No. 100 be concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 156, respectfully report as follows: That Senate Bill No. 156 be concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 155, respectfully report as follows: That Senate Bill No. 155 be concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 211, respectfully report as follows: That Senate Bill No. 211 be amended as follows:

Amend page 5, lines 26 and 27 of the original bill being page 6, lines 1 and 2 of the printed bill by striking out the words "from and after April 1, 1966." and inserting in lieu thereof the words "upon passage and approval."

And as amended, be concurred in.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 68, respectfully report as follows: That Senate Bill No. 68 be not concurred in.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 524, respectfully report as follows: That House Bill No. 524 be amended as follows:

1. Amend Section 3, page 4, line 30 of the original bill by deleting the figure "\$394,466.00" and insert in lieu thereof the figure "\$389,466".

2. Amend Section 3, page 5, line 15 of the original bill be deleting the words in subsection (7) and inserting in lieu thereof the words "From unexpended balances 1963-1965 biennium in general fund appropriations 50102, 50103, 50106, 50107".

3. Further amend Section 3, page 5 of the original bill by adding after subsection (7) the following subsection: "(8) From the general fund to the revolving fund, general services account". Add on the same line with the word "account" in the column labeled "For the Fiscal Year Ending June 30, 1966" the figure "\$5,000". Add below the word "account" the following material: "All revenue derived from central data processing, centralized duplicating services and other consolidated services performed by the department of administration shall be deposited to the revolving fund, general services account. All moneys deposited in the revolving fund, general services account are appropriated to the department of administration, general services division for central data processing, central duplicating services and other consolidated services."

4. Further amend Section 3, page 6, line 9 of the original bill by adding before the word "Operation" the words "General fund expenditures for".

5. Further amend Section 3, page 7, line 4 of the original bill by deleting the words in subsection 2 and insert in lieu thereof the words "From unexpended balances 1963-1965 biennium in general fund appropriations 57503 and 57505".

6. Further amend Section 3, page 7 of the original bill by deleting the words in subsection (2) beginning with the word "Funds" on line 25 and ending with the word "of" on line 28 and insert in lieu thereof the words "From unexpended balances 1963-1965 biennium in general fund appropriations 67302, 67305, and 67306".

7. Further amend Section 3, page 9, line 15 of the original bill by deleting the words in subsection (2) and inserting in lieu thereof "From unexpended balances 1963-1965 biennium in general fund appropriation 50401".

8. Further amend Section 3, page 3, line 23 of the original bill by deleting the figures "\$91,767.00" and "\$91,767.00" and inserting in lieu thereof the figures "\$99,708.00" and "\$99,708.00".

9. Further amend Section 3, page 9, between lines 3 and 4 of the original bill by inserting the following material: "From the general fund, for

the salary, travel and other
costs of maintaining a social
worker to assist with the
placement and aftercare of
juveniles

\$13,000.00

\$13,000.00"

And as amended, do pass.

BARDANOUE, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 150, respectfully report as follows: That Senate Bill No. 150 be amended as follows:

Amend in Section 6, page 13, line 20 of the original bill, being Section 6, page 14, line 83 of the printed bill after the word and punctuation "con-

sumers." by adding the following words and punctuation "This shall in no way be construed to give the board the authority to fix wholesale or retail prices of products manufactured from Class III or Class IV milk."

And as amended, be concurred in.

BASHOR, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 71, introduced by Twedt, et al, was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 146, introduced by Lund, et al, was this day recommended that further action be indefinitely postponed by the Senate Committee of the Whole, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 74, introduced by Bailey, et al.

House Bill No. 101, introduced by Gill, et al.

House Bill No. 307, introduced by Shugrue, et al.

House Bill No. 376, introduced by Johnson.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that Senate Bill No. 173 be taken from Third Reading and rereferred to the Committee on Appropriations. Motion carried.

Watt, having voted on the prevailing side, moved that the House reconsider its action taken on the previous day on Senate Bill No. 220 and that a roll call vote be taken with the results thereof to be spread on the Journal. Roll Call vote was taken and the motion failed to carry by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Christiansen, Deschamps, Flynn, Gilfeather, Gilligan, Harper, Holtz, Johnson, Judge, Lombardi, Meccage,

Nefzger, Obstarczyk, O'Hair, Prevost, Raundal, Rygg, Schepens, Shugrue, Slaby, Sullivan, Tracy, Twedt, Willits, Zimmer. Total 28.

Noes: Asbjornson, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Cregg, Crum, Delano, Dye, Egan, Eklund, Falkenstern, Felt, Fischer, Garrison, Gerke, Gill, Gunderson, Haines, Hall, Hanks, Healy, James, Jenkins, Jensen, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Nelson, Nichols, Nutting, O'Leary, Pierce, Rehberg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Watt, Williams, Woodard. Total 56.

Absent or not voting: Brenner, Cerovski, Cummings, East, Eskildsen, McOmber, Sartz, Scherf, Sheehy, Mr. Speaker. Total 10.

Excused: None.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 199, 198, 54, 23, 169, 22, 16, 89, 49, 36, 57, 58, 72, Senate Joint Resolutions Nos. 3, 12, 13, Senate Bills Nos. 146, 124, 78, 187, 157, 41, 64, 67, 209, 132, 131, 133, 62, 134, 135, 102, 33, 93, 14, 126.

Motions was made by McNamara that House Bill No. 131 be taken from the Committee on Appropriations and printed and placed on Second Reading. Motion was lost.

Motion was made by Felt that Senate Bill. No. 173 be taken from the Committee on Appropriations and rereferred to the Committee on Ways and Means. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, appropriation measures at length, and referred to committees:

House Bill No. 529, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain state agencies for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

House Bill No. 528, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the support of public schools; reappropriating certain unexpended balances remaining on June 30, 1965; appropriating moneys for the foundation program and school transportation payments for the biennium ending June 30, 1967; and appropriating undistributed state equalization aid remaining on June 30, 1966 and on June 30, 1967 for per pupil payments to counties." Referred to Committee on Appropriations.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 526, respectfully report as follows: That House Bill No. 526 be amended as follows:

Amend Section 6, on page 7 of the original bill in line 9 by deleting the figure "\$211,010.00" and inserting in lieu thereof the figure "\$221,010.00".

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Motion was made by Cerovski that the House temporarily pass Order of Business No. 8 and go on to Order of Business No. 9. Motion carried.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 171 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 80.

Noes: Cregg, Eskildsen, Flynn, Laas, Lewis, McOmber, Sartz, Scherf, Willits, Zimmer. Total 10.

Absent or not voting: Bardanouve, Nichols, Rehberg, Twedt. Total 4.

Excused: None.

Senate Bill No. 172 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Crum, Delano, Deschamps, Dye, East, Egan, Falkenstern, Felt, Fischer, Garrison, Gerke, Gill, Haines, Hanks, Healy, James, Jenkins, Jensen, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Nelson, Nichols, Nutting, O'Leary, Pierce, Rygg, Schepens, Schye, Selstad, Sheehy, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Ulmer, Williams, Woodard, Mr. Speaker. Total 57.

Noes: Aasheim, Bardanouve, Brenner, Cerovski, Christiansen, Cregg, Cummings, Eklund, Eskildsen, Flynn, Gilfeather, Gilligan, Gunderson, Hall, Harper, Holtz, Johnson, Laas, Lewis, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, Prevost, Raundal, Sartz, Scherf, Shugrue, Slaby, Stranahan, Tracy, Twedt, Watt, Willits, Zimmer. Total 36.

Absent or not voting: Rehberg. Total 1.

Excused: None.

Senate Joint Resolution No. 8 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, Lucas, Lund, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 68.

Noes: Asbjornson, Boughton, Casey, Crum, Delano, Dye, Falkenstern, James, Jenkins, Jensen, Leuthold, Loman, MacCalman, Mather, Obstarczyk, Schye, Selstad, Smiley, Smith, Spilde, Ulmer, Woodard. Total 22.

Absent or not voting: Bashor, Broeder, Rehberg, Sheehy. Total 4.

Excused: None.

Senate Bill No. 149 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum,

Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 86.

Noes: Aasheim, Eskildsen, Harper, McNamara, Nefzger, Shugrue, Zimmer. Total 7.

Absent or not voting: Smith. Total 1.

Excused: None.

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 91.

Noes: Rehberg. Total 1.

Absent or not voting: Atkins, Rygg. Total 2.

Excused: None.

Senate Bill No. 225 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 89.

Noes: Casey, Harper, Lund, Woodard. Total 4.

Absent or not voting: Atkins. Total 1.

Excused: None.

Senate Bill No. 202 was concurred in by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, Lund, McDonald, McOmber, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal,

Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 51.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Haines, Healy, James, Jenkins, Jensen, Leuthold, Loman, Lucas, MacCalman, Mather, McNamara, McNamer, Nelson, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard, Mr. Speaker. Total 42.

Absent or not voting: Atkins. Total 1.

Excused: None.

Senate Amendments to House Bill No. 60 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: East, Falkenstern, Garrison, Jenkins, Selstad, Smiley, Smith, Williams. Total 8.

Absent or not voting: Atkins, Boughton, Gerke, Laas, McNamara, Obstarczyk. Total 6.

Excused: None.

Motion was made by Cerovski that the House revert to Order of Business No. 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Sheehy of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 63 be concurred in.

That Senate Bill No. 7 be amended in the title by striking out in line 3 of the printed bill the word "public" and further amend in line 4 of the printed bill by striking out the word "public"

And amend Section 6 by striking out in line ten of the printed bill, after the word "board", and strike the word "may" and insert the word "shall"

And as so amended, be concurred in.

That the Committee rise and report.

SHEEHY, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 227, respectfully report as follows: That Senate Bill No. 227 be not concurred in.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 154, respectfully report as follows: That Senate Bill No. 154 be rereferred to the Committee on Judiciary.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be amended as follows:

Amend in Section 1, subsection (2) by striking all of lines 12 through 19, and the words "made by warrant drawn by the state auditor." in line 20, page 3 of the original bill being Section 1, subsection (2) lines 49 through 55 and the words "shall be made by warrant drawn by the state auditor." in line 56, page 3 of the printed bill and inserting in lieu thereof the following: "An additional fee of fifty (50) cents per year for each registration of a vehicle shall be added to the registration fee. Revenue from this fee shall be forwarded by the respective county treasurers to the state treasurer for deposit in the general fund of the State of Montana."

And as amended, be concurred in.

LAAS, Chairman.

Report adopted.

February 24, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 296, 294, 233, 226, 445, 124, 123, 452, 273, House Joint Resolutions Nos. 6 and 22, House Bills Nos. 212, 270.

HARPER, Chairman.

I have examined House Joint Resolution No. 22 introduced by me and find the same to be correct.

JENSEN.

I have examined House Bill No. 296 introduced by me and find the same to be correct.

BASHOR.

I have examined House Bill No. 294 introduced by me and find the same to be correct.

BASHOR.

I have examined House Bill No. 233 introduced by me and find the same to be correct.

WOODARD.

I have examined House Bill No. 226 introduced by me and find the same to be correct.

REHBERG.

I have examined House Bill No. 445 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 124 introduced by me and find the same to be correct.

CUMMINGS.

I have examined House Bill No. 123 introduced by me and find the same to be correct.

CUMMINGS.

I have examined House Joint Resolution No. 6 introduced by me and find the same to be correct.

BOUGHTON.

I have examined House Bill No. 452 introduced by me and find the same to be correct.

STRANAHAN.

I have examined House Bill No. 273 introduced by me and find the same to be correct.

McNAMER.

I have examined House Bill No. 270 introduced by me and find the same to be correct.

FELT.

I have examined House Bill No. 212 introduced by me and find the same to be correct.

FELT.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 212, 270, 273, 452, 123, 124, 445, 226, 233, 294, 296, and House Joint Resolutions Nos. 22 and 6.

CONFERENCE COMMITTEE REPORT

The following Joint Conference Committee submitted the following report:

To the President of the Senate and Speaker of the House: the Joint Conference Committee appointed to consider House Bill No. 313 beg leave to report as follows:

The Joint Conference Committee unanimously agreed to remove the Senate amendment to House Bill No. 313.

For the Senate: Reardon /s/
Siderius /s/
Turnage /s/

For the House: Gilligan /s/
Sheehy /s/
Felt /s/

Report adopted.

MESSAGES FROM THE SENATE

February 24, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 305, introduced by Judge.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 24, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills, failed to be concurred in on Third Reading this day and are herewith returned to the House:

House Bill No. 55, introduced by Aasheim, et al.

House Bill No. 305, introduced by Judge.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 24, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

Sub. House Bill No. 53, introduced by Zimmer, et al.

House Bill No. 64, introduced by Gunderson and McDonald.

House Bill No. 263, introduced by Delano, et al.

House Bill No. 423, introduced by Cerovski and Loman.

House Bill No. 450, introduced by Healy, et al.

House Bill No. 489, introduced by Flynn, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 24, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 82, introduced by Laas and Broeder.

House Bill No. 95, introduced by McNamer, et al.

House Bill No. 136, introduced by O'Hair, et al.

House Bill No. 178, introduced by Eklund, et al.

House Bill No. 348, introduced by Stranahan, et al.

House Bill No. 357, introduced by Gilfeather and Hall.

House Bill No. 417, introduced by Sheehy.

House Bill No. 419, introduced by Sheehy.

House Bill No. 473, introduced by Tooke, et al.

House Joint Resolution No. 9, introduced by Nichols, et al.

House Joint Resolution No. 21, introduced by McNamer, et al.

House Joint Resolution No. 25, introduced by Judge and Lewis

House Joint Resolution No. 28, introduced by Willits, et al.

House Joint Resolution No. 34, introduced by Slaby, et al.

House Joint Resolution No. 38, introduced by Sheehy, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 24, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 504, introduced by McNamara, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 23, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 156, introduced by Schepens and Hall.

House Bill No. 356, introduced by Johnson, et al.

Sub. for House No. 369, introduced by Crum, et al.

House Bill No. 399, introduced by Gilfeather and Hall.

House Bill No. 479, introduced by Bardanouve, et al.

House Bill No. 485, introduced by Schye.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the wishes of the Senate by returning House Bill No. 305 to them for further consideration. Motion carried.

Motion was made by Cerovski that the House accede to the wishes of the Senate by returning House Bill No. 504 to them for further consideration. Motion carried.

Motion was made by Gilfeather that the special Committee to the Fish and Game be granted an additional three days time. Motion carried.

The following resolutions were introduced, read first time, and referred to committees:

House Resolution No. 13, introduced by Zimmer, Broeder, Scherf, Rygg, Atkins, Jensen, Sullivan, Gill: A Resolution of the House of Representatives of the State of Montana urging the Federal Government to construct the proposed multipurpose Glacier View Dam on the North Fork of the Flathead River with proper emphasis on flood control and also integrate the flood control and power generating capabilities of Spruce Park and Hungry

Horse Dams giving persons and firms in Montana first priority for electric power resulting from development of water resources in the state, Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 14, introduced by Pierce, Flynn: A Resolution of the House of Representatives of the State of Montana requesting that the governor appoint a committee to study laws relating to mobile homes and report their findings to the Fortieth Legislative Assembly. Referred to Committee on Highways.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Sheehy of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 192 be not concurred in.

That Senate Bill No. 55 be concurred in.

That Senate Bill No. 83 be concurred in.

That Senate Bill No. 190 be concurred in.

That Senate Bill No. 144 be concurred in.

That Senate Bill No. 204 be concurred in.

That Senate Bill No. 176 be concurred in.

That Senate Bill No. 200 be concurred in.

That the Committee rise and report.

Report adopted.

SHEEHY, Chairman.

February 24, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 75, 484, 303, 227, 76, 194, 73, 246, and House Joint Resolution No. 16.

HARPER, Chariman.

I have examined House Bill No. 75 introduced by me and find the same to be correct.

LAAS.

I have examined House Bill No. 484 introduced by me and find the same to be correct.

TRACY.

I have examined House Bill No. 303 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 227 introduced by me and find the same to be correct.

REHBERG.

I have examined House Bill No. 76 introduced by me and find the same to be correct.

DESCHAMPS.

I have examined House Bill No. 194 introduced by me and find the same to be correct.

HANKS.

I have examined House Bill No. 73 introduced by me and find the same to be correct.

JENSEN.

I have examined House Bill No. 246 introduced by me and find the same to be correct.

BAILEY.

I have examined House Joint Resolution No. 16 introduced by me and find the same to be correct.

BROEDER.

February 24, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 296, 294, 233, 226, 445, 124, 123 452, 273, 270, and 212, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:25 o'clock p.m. delivered to the Governor for his approval.

HARPER, Chairman.

February 24, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 213, 363, 130, 437, 185, and 186, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate were this day at the hour of 1:55 o'clock p.m. delivered to the Governor for his approval.

February 24, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Joint Resolution No. 6 and House Joint Resolution No. 22 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:45 o'clock p.m. delivered to the Governor for his approval.

HARPER, Chairman.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 246, 75, 484, 303, 73, 227, 76, 194, and House Joint Resolutions Nos. 16 and 22.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Thursday, February 25, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker

WALTER MARSHALL, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 25, 1965

House convened, pursuant to adjournment at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Woodard, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-second Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 179, respectfully report as follows: That Senate Bill No. 179 be amended as follows:

In Section 1, line 12 of the original bill, being line 4 of the printed bill, by striking the period (.) after the word "use" and inserting in lieu thereof a semicolon (;) and by adding the following: "provided however, that this act shall not be construed to limit, reduce or supersede the provisions of Sections 82-3101 through 82-3104, R. C. M. 1947."

And as amended, be concurred in.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 86, respectfully report as follows: That Senate Bill No. 86 be concurred in.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 34, respectfully report as follows: That Senate Bill No. 34 be concurred in.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 120, respectfully report as follows: That Senate Bill No. 120 be amended as follows:

1. In Section 1, line 20 of page 1 of the original bill, being line 8, page 1 of the printed bill, strike the words "advice and".

2. In Section 1, line 1, page 2 of the original bill, being page 2, line 17 of the printed bill, strike the word "third" and insert in lieu thereof the word "fifth".

And as amended, be concurred in.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 528, respectfully report as follows: That House Bill No. 528 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 529, respectfully report as follows: That House Bill No. 529 be amended as follows:

1. Amend in Section 3, page 7, between lines 11 and 12 of the original bill by inserting the following: "Upon approval of House Bill 407 there is hereby appropriated from the General Fund \$54,000.00 \$9,000.00"

2. Amend in Section 3, page 7, line 22 of the original bill by deleting the figure "\$9,000.00" and inserting in lieu thereof the figure "\$9,500.00"

3. Amend in Section 3, page 7, lines 27, 28 and 29 by deleting the words "From the federal and private grant clearance fund, library development account" and inserting in lieu thereof the following words "Revenues accruing to this account in excess of these estimates are hereby appropriated."

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Motion was made by Bardanoue that the House dispense with the reading of the lengthy amendments to House Bill No. 525. Motion carried.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 525, respectfully report as follows: That House Bill No. 525 be amended as follows:

1. Amend Section 3, page 2, line 26 of the original bill by adding after the word "biennium" the words "in general fund appropriation 51803".

2. Further amend Section 3, page 3, line 17 of the original bill by adding after the word "biennium" the words "in general fund appropriation 59003".

3. Further amend Section 3, page 4, line 7 of the original bill by adding after the word "biennium" the words "in general fund appropriation 68603".

4. Further amend Section 3, page 4, line 10 of the original bill by adding after the word "biennium" the word "in general fund appropriation 68603".

5. Further amend Section 3, page 4, line 25 of the original bill by adding after the word "biennium" the words "in general fund appropriation 69704".

6. Further amend Section 3, page 5, line 6 of the original bill by adding after the word "biennium" the words "in general fund appropriation 72603".

7. Further amend Section 3, page 5, line 24 of the original bill by adding after the word "biennium" the words "in general fund appropriation 74003".

8. Further amend Section 3, page 8 of the original bill by deleting the written material beginning with the words "for the general fund" on line 31 and ending with the word "balance" on page 9, line 4 and insert in lieu thereof beginning on line 32, the following words "From unexpended balance 1963-1965 biennium in general fund appropriation 52703".

9. Further amend Section 3, page 3 of the original bill in line 12 by deleting the figures "\$54,100" and "\$57,310" and inserting in lieu thereof the following figures "\$60,500" and "\$61,000".

10. Further amend Section 3, page 3 of the original bill in line 14 by deleting the figures "\$2,000" and "\$2,000" and inserting in lieu thereof the following "\$3,630" and "\$3,660".

11. Further amend Section 3, page 5, line 19 of the original bill by deleting the figures "\$32,500" and "\$33,500" and inserting in lieu thereof the figures "\$35,360" and "\$37,000".

12. Further amend Section 3, page 5, between lines 19 and 20 of the original bill by inserting the following: "(b) From abandoned property account fund \$5,400 \$5,605".

13. And further amend Section 3, page 5, between lines 21 and 22 of the original bill, by inserting the following "(b) From abandoned property account fund \$384 \$384".

14. Further amend Section 3, page 6 in line 2 of the original bill by deleting the figures "\$10,800" and "\$11,200" and inserting in lieu thereof the figures "\$5,400" and "\$5,700".

15. Further amend Section 3, page 6 in line 3 of the original bill by deleting the figures "\$770" and "\$770" and inserting in lieu thereof the figures "\$384" and "\$384".

16. And further amend Section 3, page 8, line 11 of the original bill by deleting the figures "\$167,063" and "\$167,516" and inserting in lieu thereof the figures "\$206,452" and "\$205,444".

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 180, respectfully report as follows: That Senate Bill No. 180 be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 168, respectfully report as follows: That Senate Bill No. 168 be not concurred in.

AASHEIM, Chairman.

Motion was made by Aasheim that the Committee report be adopted.

Substitute motion was made by Christiansen that Senate Bill No. 168 be placed on Second Reading. Motion carried.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 28, respectfully report as follows: That Senate Bill No. 28 be not concurred in.

AASHEIM, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 24, 1965 at 1:55 p. m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 213, 363, 130, 437, 185, 186.

TIM BABCOCK, Governor

R. Mortensen, Secretary

February 24, 1965 at 4:45 p. m.

Received of Chairman, Bills Committee, Warren Harper, House Joint Resolutions Nos. 6 and 22.

TIM BABCOCK, Governor

Jeanie Morris

February 24, 1965 at 4:25 p. m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 296, 294, 233, 226, 445, 124, 123, 452, 273, 270, 212.

TIM BABCOCK, Governor

Jeanie Morris

February 24, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 258—Introduced by Sullivan and Johnson.

House Bill No. 259—Introduced by Sullivan and Johnson.

House Bill No. 361—Introduced by Johnson, Cregg, Jenkins, Bardanoue.

Sincerely yours,

TIM BABCOCK, Governor

MESSAGES FROM THE SENATE

February 24, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 391, introduced by Loman.

House Bill No. 394, introduced by Hall.

House Bill No. 398, introduced by Hall.

House Bill No. 416, introduced by Sheehy.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Aasheim that Senate Bills Nos. 109 and 207 be taken from the Committee on Education and rereferred to Committee on Appropriations. Motion carried.

The following resolution was introduced, read first time, and referred to committee.

House Resolution No. 15, introduced by Committee on Rules and Journal: A Resolution of the House of Representatives to amend Joint Rule No. 6-37. Referred to Committee on Rules and Journal.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration House Resolution No. 15, respectfully report as follows: That House Resolution No. 15 do pass.

CEROVSKI, Chairman.

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the purpose of consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Rygg of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 59 be concurred in.

That Senate Bill No. 95 be concurred in.

That Senate Bill No. 221 be concurred in.

That Senate Amendment to House Bill No. 49 be not concurred in but that a Conference Committee of three persons be appointed by the Speaker to meet with a like number from the Senate.

That Senate Amendment to House Bill No. 85 be concurred in.

That Senate Amendment to House Bill No. 134 be concurred in.

That Senate Amendment to House Bill No. 191 be concurred in.

That Senate Amendment to House Bill No. 220 be concurred in.

That Senate Amendment to House Bill No. 247 be concurred in.

That Senate Amendment to House Bill No. 261 be concurred in.

That the Committee rise and report.

RYGG, Chairman.

Report adopted.

Motion was made by Cerovski that the House revert to Order of Business No. 5. Motion carried.

MESSAGES FROM THE SENATE

February 25, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 479, introduced by Barda-nouve, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the wishes of the Senate and return House Bill No. 479 to them for further consideration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, appropriation measures at length, and referred to committee:

House Bill No. 530, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain licensing and examining boards for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

Motion was made by Cerovski that the House be on Order of Business No. 12. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee on Senate Amendment to House Bill No. 49: Hall, Gilfeather, Lund.

Motion was made by Cerovski that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 25, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 194, 227, 484, 73, 75, 303, 246, 76 and House Joint Resolution No. 16, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:20 o'clock a. m., delivered to the Governor for his approval.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 13, respectfully report as follows: That House Resolution No. 13 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 11, respectfully report as follows: That Senate Bill No. 11 be concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 178, respectfully report as follows: That Senate Bill No. 178 be concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 186, respectfully report as follows: That Senate Bill No. 186 be not concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142 be not concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 158, respectfully report as follows: That Senate Bill No. 158 be amended as follows:

Amend the title, lines 5 and 6 of the original bill, being lines 3 and 4 of the title in the printed bill, by striking the words "one or more miles but",

Further amend by striking the following words in Section 1, line 13 of the original bill, page 1, being line 3 of the printed bill, "one (1) mile or more but",

Further amend by striking the period "." in Section 1, line 17 of the original bill, being line 7, page 1, of the printed bill and adding the following:

" , providing, however, the trustees shall in making such agreements give preference to those children living the farthest from the school to be attended."

And as amended, be concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 530, respectfully report as follows: That House Bill No. 530 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 be amended as follows:

1. Amend Section 1, in lines 12 and 13, page 1 of the original bill by deleting words and figures as follows: "one hundred eleven thousand three hundred thirty-eight dollars.....\$111,338.00" and inserting in lieu thereof the following: "eighty-nine thousand one hundred eight dollars.....\$89,108.00"

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 106, respectfully report as follows: That Senate Bill No. 106 be not concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be amended as follows:

1. Amend the title on line 6 of the original bill, being the fourth line of the title of the printed bill, by inserting after the semicolon (;)

the following material: "removing the State Engineer as a member of the board;"

2. Amend Section 1, page 1, line 20 of the original bill, being line 7, page 1 of the printed bill, by deleting the words "and State Engineer".

3. Further amend Section 1, page 1, line 20 of the original bill, being page 1, line 8 of the printed bill, by deleting the word "members" and substituting therefor the words "a member".

4. Further amend Section 1, page 1, line 21 of the original bill, being line 8, page 1 of the printed bill, by deleting the word and figure "five (5)" and substituting therefor the word and figure "six (6)".

5. Further amend Section 1, page 1, line 23 of the original bill, being page 1, line 10 of the printed bill, by striking the words "advice and".

6. And further amend Section 1, beginning on line 10, page 4 of the original bill, being lines 77 through 81 of the printed bill, by striking the entire sentence, beginning with the words "The state".

And as amended, be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 39 respectfully report as follows: That Senate Bill No. 39 be not concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be amended as follows:

1. Amend the title of the bill on line 6 of the original bill, being line 4 of the title of the printed bill, by deleting the word "of" which appears between the words "director" and "the", and substituting therefor the word "by".

2. Further amend the title on line 7 of the original bill, being line 5 of the title of the printed bill, by deleting the words "by the governor".

3. Further amend the title beginning on line 9 of the original bill, being lines 8, 9, 10 and 11 of the title of the printed bill, by deleting the following: "amending Section 89-103 R. C. M. 1947, to provide for the Director of the State Water Conservation Board to be a member of said board;"

4. Amend Section 1, page 1, line 21 of the original bill, being lines 3 and 4, page 1 of the printed bill, by deleting the word "Governor" and inserting in lieu thereof the words "State Water Conservation Board"

5. Further amend Section 1, page 1, line 21 and 22 of the original bill, being line 4, page 1 of the printed bill, by deleting the words "hold office for a term of six (6) years" and inserting in lieu thereof the words: "serve at the pleasure of the board"

6. Further amend Section 1, page 1, beginning on line 23 of the original bill, being lines 5, 6 and 7 on page 1 of the printed bill, and lines 8 and 9 on page 2 of the printed bill, by striking out the following material: "except that immediately after the effective date of this act the governor shall appoint a director whose term of office shall expire the second Monday in January, 1970. Directors shall thereafter be appointed for a full term of six years." and by placing a period after the word "qualified" in line 23, page 1 of the original bill, being line 5, page 1 of the printed bill.

7. Further amend Senate Bill No. 105 by striking Section 4 in its entirety, and renumbering the section following.

And as amended, be concurred in.

ESKILDSSEN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 25, 1965 at 10:20 a. m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 194, 227, 484, 73, 75, 303, 246, 76, and House Joint Resolution No. 16.

TIM BABCOCK, Governor

by R. Mortensen

MESSAGES FROM THE SENATE

February 25, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

H. Sub. for House Bill No. 19, introduced by Judge, et al.

House Bill No. 231, introduced by Leuthold, et al.

House Bill No. 321, introduced by Wayrynen and Fischer.

House Bill No. 383, introduced by Gilfeather, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 25, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committee on Taxation, reports adopted, and the same are herewith returned to the House:

House Bill No. 278, introduced by Felt (by request).

House Bill No. 377, introduced by Felt.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 25, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 483, introduced by Harper, was this day recommended that further action be indefinitely postponed by the Senate Committee of the Whole, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 25, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and are herewith returned to the House:

House Bill No. 38, introduced by Hanks and Lucas.

House Bill No. 70, introduced by Bailey, et al.

House Bill No. 164, introduced by Aasheim, et al.

House Bill No. 175, introduced by Loman, et al.

House Bill No. 305, introduced by Judge (by request).

House Bill No. 355, introduced by Smiley, et al.

House Bill No. 385, introduced by Felt.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for the purpose of consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Rygg of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Conference Committee report on Senate Amendment to House Bill No. 313 be concurred in.

That Senate Amendment to House Bill No. 284 be concurred in.

That Senate Amendment to House Bill No. 387 be concurred in.

That consideration of Senate Amendment to House Bill No. 71 be passed for the day.

That Senate Bill No. 111 be concurred in.

That Senate Bill No. 100 be concurred in.

That Senate Bill No. 112 be concurred in.

That Senate Bill No. 156 be amended as follows: Amend the title by striking out in line 8 of the printed bill after the words "issuance of" the words and figures "twenty dollars (\$20.00)", and inserting in lieu thereof the words "seventy-five dollars (\$75.00)"

And amend Section 1 by striking out in line 8 of the printed bill after the words "shall be" the words and figures "twenty dollars (\$20.00)", and inserting in lieu thereof the words "seventy-five (\$75.00)"

And as so amended, be concurred in.

That Senate Bill No. 155 be concurred in.

That Senate Amendment to House Bill No. 53 be concurred in.

That Senate Amendment to House Bill No. 64 be concurred in.

That Senate Amendment to House Bill No. 263 be concurred in.

That Senate Amendment to House Bill No. 423 be concurred in.

That Senate Amendment to House Bill No. 450 be concurred in.

That Senate Amendment to House Bill No. 489 be concurred in.

That Senate Bill No. 211 be concurred in.

That consideration of Senate Bill No. 150 be passed for the day.

That Senate Bill No. 91 be concurred in.

That consideration of Senate Bill No. 168 be passed for the day.

That the Committee rise and report.

RYGG, Chairman

Motion was made by Rygg that the report be adopted.

Substitute motion was made by Pierce that Senate Bill No. 156 be segregated from the Committee of the Whole Report. Motion carried.

Substitute motion was made by Rehberg that Senate Bill No. 111 be segregated from the Committee of the Whole Report. Motion failed.

Motion was made by Rygg that the Committee of the Whole report be adopted as amended. Motion carried. Report adopted.

February 25, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 178, 82, 295, House Joint Resolutions Nos. 9, 28, and 25.

HARPER, Chairman.

I have examined House Joint Resolution No. 25 introduced by me and find the same to be correct.

JUDGE.

I have examined House Joint Resolution No. 28 introduced by me and find the same to be correct.

WILLITS.

I have examined House Joint Resolution No. 9 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 82 introduced by me and find the same to be correct.

LAAS.

I have examined House Bill No. 295 introduced by me and find the same to be correct.

BASHOR.

I have examined House Bill No. 178 introduced by me and find the same to be correct.

EKLUND.

The Speaker signed the following bills in open session, the titles having first been read: House Joint Resolution No. 9, House Joint Resolution No. 28, House Bills Nos. 178, 82, 295, and House Joint Resolution No. 25.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 63 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer. Total 84.

Noes: Stranahan. Total 1.

Absent or not voting: Bardanouve, Crum, Eskildsen, McNamer, Sheehy, Mr. Speaker. Total 6.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Bill No. 7 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gill, Gilligan, Haines, Hanks, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Pierce, Prevost, Raundal, Rehberg, Rygg, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits. Total 72.

Noes: Bashor, Cerovski, Gerke, Gilfeather, Hall, Harper, Johnson, Lombardi, O'Hair, O'Leary, Sartz, Sullivan, Tracy, Williams, Zimmer, Mr. Speaker. Total 16.

Absent or Not voting: Crum, McNamer, Sheehy. Total 3.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Bill No. 55, was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 86.

Noes: Cummings, Harper. Total 2.

Absent or Not voting: Crum, McNamer, Sheehy. Total 3.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Bill No. 83 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Boughton, Brenner, Cerovski, Christiansen, Cregg, Delano, Deschamps, Dye, Egan,

Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 71.

Noes: Atkins, Bollinger, Broeder, Casey, Cummings, East, Garrison, Jenkins, Lucas, MacCalman, Nichols, Nutting, Rygg, Selstad, Smiley, Smith, Swanz. Total 17.

Absent or Not voting: Crum, McNamer, Sheehy. Total 3.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Bill No. 190 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Crum, McNamer, Nefzger, Sheehy. Total 4.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Bill No. 144 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Mr. Speaker. Total 83.

Noes: Deschamps, Flynn, Tracy, Willits. Total 4.

Absent or not voting: Crum, McNamer, Sheehy, Zimmer. Total 4.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Bill No. 204 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke,

Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 82.

Noes: Bollinger, Garrison, McDonald, Raundal, Smith. Total 5.

Absent or not voting: Boughton, Crum, McNamer, Sheehy. Total 4.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Bill No. 176 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Felt, Fischer, Flynn, Gerke, Gill, Haines, Hall, Hanks, Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Rehberg, Rygg, Schepens, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Mr. Speaker. Total 66.

Noes: Brenner, Deschamps, Eskildsen, Falkenstern, Garrison, Gilfeather, Gilligan, Holtz, Lombardi, Prevost, Raundal, Sartz, Scherf, Selstad, Smith, Stranahan, Tracy, Williams, Willits. Total 19.

Absent or not voting: Crum, Laas, McNamer, Schye, Sheehy, Zimmer. Total 6.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 85 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Boughton, Crum, Gerke, Laas, McNamer. Total 5.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 134 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby,

Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Mr. Speaker. Total 86.

Noes: None.

Absent or not voting: Crum, Gerke, Laas, McNamer, Zimmer. Total 5.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 191 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 73.

Noes: Boughton, Dye, East, Garrison, Jensen, Mather, Selstad, Smith, Ulmer, Williams. Total 10.

Absent or not voting: Crum, Gerke, Laas, Loman, McNamer, O'Hair, Scherf, Zimmer. Total 8.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 220 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Crum, Gerke, McNamer. Total 3.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 247 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan,

Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 85.

Noes: Hanks, MacCalman. Total 2.

Absent or not voting: Crum, Gerke, Jenkins, McNamer. Total 4.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 261 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 84.

Noes: East, Shugrue, Williams. Total 3.

Absent or not voting: Crum, Gerke, Jenkins, McNamer. Total 4.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 284 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 84.

Noes: Jensen, Smith, Williams. Total 3.

Absent or not voting: Crum, Gerke, Jenkins, McNamer. Total 4.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 387 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Cregg, Delano, Dye, Egan, Felt, Flynn, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Healy, Holtz, James, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, O'Leary, Pierce, Rehberg, Rygg, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 59.

Noes: Boughton, Brenner, Broeder, Cummings, Deschamps, East, Eklund, Falkenstern, Fischer, Garrison, Harper, Jensen, Leuthold, Nutting, O'Hair, Prevost, Raundal, Sartz, Schepens, Selstad, Smiley, Smith, Sullivan, Swanz, Williams, Zimmer. Total 26.

Absent or not voting: Crum, Eskildsen, Gerke, Jenkins, McNamer, Scherf. Total 6.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 64 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 87.

Noes: McDonald. Total 1.

Absent or not voting: Gerke, Jenkins, McNamer. Total 3.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 263 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Christiansen, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Holtz, Jenkins, Jensen, Johnson, Judge, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Spilde, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Mr. Speaker. Total 69.

Noes: Aasheim, Broeder, Cerovski, Cregg, Deschamps, Falkenstern, Harper, Healy, James, Leuthold, Lombardi, Nefzger, Shugrue, Smiley, Smith, Stranahan, Tracy. Total 17.

Absent or not voting: Gerke, Laas, McNamer, O'Leary, Zimmer. Total 5.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 423 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Healy, Holtz, James, Johnson, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Nelson, Nichols, Nutting, O'Hair, Pierce, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 67.

Noes: Aasheim, Brenner, Christiansen, East, Falkenstern, Garrison, Harper, Jenkins, Lewis, McOmber, Meccage, Nefzger, Prevost, Scherf, Smith, Spilde, Stranahan, Williams. Total 18.

Absent or not voting: Gerke, Jensen, Laas, McNamer, O'Leary, Zimmer. Total 6.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 450 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 82.

Noes: Garrison, O'Hair, Smith, Stranahan, Williams. Total 5.

Absent or not voting: Gerke, Laas, McNamer, O'Leary. Total 4.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Senate Amendments to House Bill No. 489 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Mr. Speaker. Total 85.

Noes: Garrison. Total 1.

Absent or not voting: Gerke, Laas, McNamer, O'Leary, Zimmer. Total 5.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Conference Committee Report on Senate Amendments to House Bill No. 313 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 72.

Noes: Asbjornson, Casey, Crum, Falkenstern, Garrison, Lund, Mather, Nutting, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Williams. Total 16.

Absent or not voting: Gerke, McNamer, O'Leary. Total 3.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Substitute for House Bill No. 53 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 77.

Noes: East, Felt, Lucas, Scherf, Ulmer, Williams. Total 6.

Absent or not voting: Atkins, Bashor, Garrison, Gerke, Jenkins, McNamer, Smith, Spilde. Total 8.

Excused: Gunderson, Obstarczyk, Woodard. Total 3.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 be amended as follows:

Amend Section one, page one, lines 21 and 22 of the original bill by deleting the following: "three hundred dollars (\$300.00) per month payable monthly," and inserting in lieu thereof the following: "seven dollars (\$7.00) per day".

And as amended, do pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3 be amended as follows.

1. Amend Section 1 of the original bill, on page 1, line 20 being page 1, line 3 of the printed bill, by deleting the words "as a non-voting member".

2. Amend Section 3 of the original bill on page 2, line 5, being page 2, line 4 of Section 3 of the printed bill, by deleting the words "one other voting member" and inserting in lieu thereof the words "two other voting members".

3. Amend Section 23 of the original bill on page 8, line 12 which is line 2, page 10 of the printed bill by deleting the words "one hundred" and inserting in lieu thereof the word "eighty".

4. Amend Section 23 of the original bill on page 8, line 13 which is line 3, page 10 of the printed bill by deleting the figures "(\$100,000)" and inserting in lieu thereof the figures "(\$80,000)".

And as amended, do pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration House Bill No. 519, respectfully report as follows: That House Bill No. 519 be amended as follows:

1. Amend the title in lines 11 and 13, page 1 of the original bill by deleting the words "Highway Commission" and substituting therefore the words "Water Conservation Board" in both places.

2. Further amend the title in line 14, page 1 of the original bill by deleting the words and figures "ten thousand dollars (\$10,000.00)" and substituting therefore the words and figures "one dollar (\$1.00)".

3. Amend Section 14 of the original bill in lines 14 and 15, page 5 of the original bill by deleting the words "Highway Commission" and substituting therefore the words "Water Conservation Board".

4. Further amend Section 14 of the original bill in line 17, page 5 of the original bill by deleting the words "Highway Commission" and substituting therefore the words "Water Conservation Board".

5. Further amend Section 14, line 19, page 5 of the original bill by deleting the figures "\$10,000.00" and substituting therefore the words and figures "one dollar (\$1.00)".

And as amended, do pass.

Report adopted.

BARDANOUE, Chairman.

February 25, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 526, 528, 524, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Friday, February 26, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FIFTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 26, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Sartz, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-third Legislative Day, find the same to be correct.

ESKILDSSEN, Vice-Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Resolution No. 12, respectfully report as follows: That House Resolution No. 12 do pass.

Report adopted.

GILL, Chairman.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Resolution No. 14, respectfully report as follows: That House Resolution No. 14 do pass.

LAAS, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be concurred in.

WATT, Chairman.

Report adopted.

COMMUNICATIONS FROM THE GOVERNOR

February 25, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
Helena, Montana
Honorable Ted James
President of the Senate
Helena, Montana

Gentlemen:

I am herewith returning H. B. 201 without my approval for the following reasons:

I have been informed by the Chairman of the Senate Fish and Game Committee that another bill, H. B. 263, which has passed both the House of Representatives and the Senate and which is now before the House of Representatives for concurrence in Senate amendments, contains substantially the same amendments to Section 26-104, subsection 26, R. C. M. 1947, as those contained in H. B. 201, but using slightly different language. H. B. 263 also contains other important amendments to Section 26-104 which deserve careful consideration.

If both bills are enacted, a conflict of the precise language used in Section 26-104, subsection 26, will result. If I do not act today, H. B. 201 would automatically become law by operation of the Constitution. It therefore becomes necessary for me to exercise the power of veto and await H. B. 263 for consideration.

For these reasons I am returning H. B. 201 without my approval.

Sincerely yours,

TIM BABCOCK,
Governor.

The Governor's veto was sustained by the following vote:

Ayes: Deschamps, Shugrue, Sullivan. Total 3.

Noes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 90.

Absent or not voting: None.

Excused: Sartz. Total 1.

February 26, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 419, House Joint Resolution No. 38, House Bills Nos. 355, 348, 95, 70, 357, 136, 305, 164, 175, 385, 473, 417, House Joint Resolutions Nos. 34, 21, and House Bill No. 60.

HARPER, Chairman.

I have examined House Bill No. 419 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Joint Resolution No. 38 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 355 introduced by me and find the same to be correct.

SMILEY.

I have examined House Bill No. 348 introduced by me and find the same to be correct.

STRANAHAN.

I have examined House Bill No. 95 introduced by me and find the same to be correct.

McNAMARA.

I have examined House Bill No. 70 introduced by me and find the same to be correct.

BAILEY.

I have examined House Bill No. 136 introduced by me and find the same to be correct.

O'HAIR.

I have examined House Bill No. 357 introduced by me and find the same to be correct.

GILFEATHER.

I have examined House Bill No. 305 introduced by me and find the same to be correct.

JUDGE.

I have examined House Bill No. 164 introduced by me and find the same to be correct.

AASHEIM.

I have examined House Bill No. 175 introduced by me and find the same to be correct.

LOMAN.

I have examined House Bill No. 385 introduced by me and find the same to be correct.

FELT.

I have examined House Bill No. 473 introduced by me and find the same to be correct.

TOOKE.

I have examined House Bill No. 417 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Joint Resolution No. 34 introduced by me and find the same to be correct.

SLABY.

I have examined House Joint Resolution No. 21 introduced by me and find the same to be correct.

McNAMER.

I have examined House Bill No. 60 introduced by me and find the same to be correct.

ZIMMER.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bills Nos. 17, 208, 181, 130, 84, 153, 97, 92, 137, 128.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 60, 21, 175, 385, 473, 417, House Joint Resolution No. 34, House Bills Nos. 164, 305, 136, 357, 70, 95, 348, 355, House Joint Resolution No. 38, and House Bill No. 419.

MESSAGES FROM THE SENATE

February 25, 1965

Mr. Speaker:

The Senate this day failed to concur in House Amendments to Senate Bill No. 26, requested the President to appoint a Conference Committee of three and requests the House to appoint a similar committee. The President appointed the following Conference Committee:

Senator Mathers.
Senator Cotton.
Senator McGowan.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 25, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 302, introduced by Rehberg and Woodard.

House Bill No. 310, introduced by Gilfeather, et al.

House Bill No. 354, introduced by Eskildsen, et al.

House Bill No. 359, introduced by Eskildsen and Nichols.

House Bill No. 362 introduced by Hall.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 522, respectfully report as follows: That House Bill No. 522 do pass.

BARDANOUE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that Senate Bill No. 221 be taken from Third Reading and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by McNamer that Senate Bill No. 200 be taken from Third Reading and rereferred to the Committee on Appropriations, with a roll call vote, the results thereof to be spread on the Journal. Sufficient seconds arose, and the Speaker ordered the roll call vote. After debate, Shugrue moved the previous question. Motion was lost by the following vote:

Ayes: Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstein, Felt, Garrison, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 36.

Noes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 56.

Absent or not voting: Zimmer. Total 1.

Excused: Sartz. Total 1.

Judge, having voted on the prevailing side, moved that the House reconsider its action in adopting an adverse committee report on House Bill No. 106. Motion carried.

The following resolution was introduced, read first time and referred to committee:

House Resolution No. 16, introduced by Bashor, Schye: A Resolution of the House of Representatives of the 39th Legislature of the State of Montana. Providing for a special committee of the House of Representatives of the State of Montana, to continue a study of the Hutterites began by the 38th Legislative Assembly, and to provide for the report of said investigation by the committee appointed by the House of Representatives of the State of Montana for the use and guidance of the Fortieth Legislative Assembly of the State of Montana. Referred to the Committee on Public Health, Welfare and Safety.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

February 26, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 522, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 520, respectfully report as follows: That House Bill No. 520 be amended as follows:

Amend Section-1, page 1, line 8 of the original bill by striking the words and figures "Five thousand dollars (\$5,000.00)" and inserting in lieu

thereof the words and figures "One thousand five hundred dollars (\$1,500.00)".

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be concurred in.

HEALY, Chairman.

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

East of Rosebud in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Bill No. 71 be not concurred in, but that the Speaker appoint a Conference Committee of three members to meet with a like number from the Senate.

That Senate Bill No. 150 be concurred in.

That the committee rise and report.

EAST, Chairman.

Report adopted.

Motion was made by Cerovski that the House pass Order of Business No. 9 for this sitting. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following members to work with a like number from the Senate on Senate amendments to House Bill No. 71: Twedt, Schepens, Haines.

Motion was made by Cerovski that the House recess until 2:00 p. m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 26, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 178, House Joint Resolutions Nos. 28, 25, 9, 38, 34 and 21, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:30 o'clock, a. m. delivered to the Governor for his approval.

HARPER, Chairman.

February 26, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 175, 385, 473, 417, 164, 60, 305, 357, 136, 70, 95, 348, 355, 419, 82, 295, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:30 o'clock, a. m., delivered to the Governor for his approval.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration Senate Bill No. 139, respectfully report as follows: That Senate Bill No. 139 be amended as follows:

Strike the following words and figures on line 16, page 1, of the original bill: "one hundred (\$100)" and insert in lieu thereof the following words and figures: "fifty (\$50.00)".

And as amended, be concurred in.

LOMBARDI, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 26, 1965, 11:30 a. m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 175, 385, 473, 417, 164, 60, 305, 357, 136, 70, 95, 348, 355, 419, 82, 295, 178 and House Joint Resolutions Nos. 28, 25, 9, 38, 34, 21.

TIM BABCOCK, Governor,

By Jeanie Morris.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 17, introduced by Atkins, Judge, McNamara: A House Resolution of the House of Representatives of the State of Montana of the Thirty-ninth Legislative Assembly requesting that the 1968 National Boy Scout Jamboree be held in Glacier National Park. Referred to Committee on Business and Industry.

Motion was made by Cregg that Senate Bill No. 221 be taken from the Committee on Appropriations and be placed on Third Reading, with a roll call vote and the results thereof to be spread on the Journal. Lucas requested a Call of the House. Sufficient seconds arose and the Speaker ordered a Call of the House. Progress having been shown, Lucas moved that the Call of the House be dispensed with. Motion carried. Motion by Cregg failed by the following vote:

Ayes: Asbjornson, Boughton, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Haines, Healy, James, Jenkins, Jensen, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, McNamara, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 41.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Egan, Eklund, Eskildsen, Flynn, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Holtz, Johnson, Judge, Lewis, Lombardi, McDonald, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Schepens, Scherf, Shugrue, Spilde, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 43.

Absent or not voting: Broeder, Cregg, Deschamps, Gerke, Gill, Harper, Mather, Sheehy, Slaby. Total 9.

Excused: Sartz. Total 1.

Motion was made by Cerovski that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on House Amendments to Senate Bill No. 26. Motion carried.

Motion was made by Sheehy that the Rules Committee clarify Joint Rule No. 9-2 as to when a member may be excused from voting. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

House Joint Resolution No. 40, introduced by Haines, McOmber, Lucas, Cerovski: A Joint Resolution of the Senate and House of Representatives of the Thirty-ninth Legislative Assembly providing for consent and payment for projects not included in the general fund budget. Referred to Committee on Appropriations.

The Speaker signed the following bills in open session, the titles having first been read: Senate Joint Resolution No. 8, Senate Bills Nos. 171, 96, 189, 115, 94, 225, 125, 71, 38, 182, 149, 172, 202.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 138, respectfully report as follows: That Senate Bill No. 138 be not concurred in.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 143, respectfully report as follows: That Senate Bill No. 143 be not concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 185, respectfully report as follows: That Senate Bill No. 185 be not concurred in.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 184, respectfully report as follows: That Senate Bill No. 184 be amended as follows:

Be amended by striking S. B. 184 in its entirety following the introduction and beginning on line 4, page 1, of the original bill and continuing through line 6, page 2, of the original bill, and substituting in lieu thereof the following:

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 59-1110, R.C.M. 1947, RELATING TO THE PAYMENT OF THE EMPLOYER'S TAX ESTABLISHED BY THE FEDERAL SOCIAL SECURITY ACT; PROVIDING THAT SUCH TAX SHALL BE THE

FIRST OBLIGATION AGAINST AND PAID FROM STATE FUNDS
RECEIVED BY SCHOOL DISTRICTS AND COUNTY HIGH
SCHOOLS."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 59-1110, R. C. M. 1947, is amended to read as follows:

"Section 59-1110. Eligibility of staff and teachers—payroll deductions. Pursuant to such certification, the staff and teachers of any such district shall be eligible for coverage under the provisions of the Federal Social Security Act, and the fiscal officer of such district shall thereafter collect the contributions required under the Federal Social Security Act, Section 218, by payroll deduction from the staff and teachers and from the school district as employer; and said funds and accounts shall be deposited with and State Board of Equalization, or such other agency as may be designated by the legislature to administer Social Security Act coverage in this state, and held in the contributions' fund as provided by Sections 59-1101 to 59-1108. For the purposes of this act, the contributions with respect to services, equivalent to the employer's tax established by the Federal Social Security Act shall be the first obligation against any state funds received for school support by any school district, high school district or county high school, and shall first be paid therefrom."

And as amended, be concurred in.

AASHEIM, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 26, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 384, introduced by Rehberg, et al.

House Bill No. 121, introduced by Bardanouve, et al.

House Bill No. 173, introduced by Healy and Crum.

House Bill No. 236, introduced by Sheehy, et al.

House Bill No. 386, introduced by Bardanouve, et al.

House Bill No. 407, introduced by Tracy, et al.

House Bill No. 405, introduced by Swanz, et al.

House Bill No. 37, introduced by Lucas, et al.

House Bill No. 427, introduced by Watt, et al.

House Bill No. 397, introduced by Hall.

House Bill No. 469, introduced by Bardanouve, et al.

House Bill No. 243, introduced by Sheehy, et al.

House Bill No. 56, introduced by Flynn, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 26, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills failed to be concurred in on third reading this day and are herewith returned to the House:

House Bill No. 94, introduced by McNamer and Bashor.

House Bill No. 418, introduced by Sheehy.

House Bill No. 219, introduced by Wayrynen, Sheehy and Obstarczyk.

House Bill No. 505, introduced by Bardanouve and Prevost.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 26, 1965

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 313, introduced by Gilligan, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 26, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 352, introduced by Pierce.

House Bill No. 433, introduced by Raundal, et al.

House Bill No. 429, introduced by McDonald, et al.

House Bill No. 339, introduced by McNamara and Judge.

House Bill No. 240, introduced by Sheehy, et al.

House Bill No. 153, introduced by Nutting, et al.

House Bill No. 154, introduced by Nutting, et al.

House Bill No. 345, introduced by Selstad.

House Bill No. 389, introduced by Smiley, et al.

House Bill No. 7, introduced by Wayrynen and Gill.

House Bill No. 30, introduced by Harper, et al.

House Bill No. 128, introduced by O'Hair, et al.

House Bill No. 155, introduced by Schepens, et al.

House Bill No. 238, introduced by Sheehy and Felt.

House Bill No. 239, introduced by Sheehy and Felt.

House Bill No. 374, introduced by Sheehy and McNamer.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 26, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 8, introduced by Christiansen and Schepens.

House Bill No. 28, introduced by Gerke, et al.

House Bill No. 72, introduced by Deschamps, et al.

House Bill No. 217, introduced by Zimmer, et al.

House Bill No. 312, introduced by Sheehy, et al.

House Bill No. 430, introduced by Mather and Gilligan.

House Bill No. 435, introduced by Lucas and Gilfeather.

House Bill No. 462, introduced by Hall.

House Bill No. 468, introduced by Hall and Gilfeather.

House Bill No. 24, introduced by Harper, et al.

House Bill No. 347, introduced by Hanks and Leuthold.

House Bill No. 388, introduced by Judge and Bardanouve.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 26, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 354, introduced by Eskildsen, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the wishes of the Senate and return House Bill No. 354 to them for further consideration. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

House Bill No. 531, introduced by Schye: A bill for an act entitled: "An act to appropriate two thousand dollars (\$2,000.00) from the general fund to the select committee of the House of Representatives authorized by House Resolution No. 16 to study the Hutterite problem in Montana." Referred to Committee on Appropriations.

Motion was made by Cerovski that the House pass on to Order of Business No. 9. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 59 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Williams, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Aasheim. Total 1.

Absent or not voting: Deschamps, Flynn, Judge, Lewis, Raundal, Selstad, Twedt, Watt, Willits. Total 9.

Excused: Sartz. Total 1.

Senate Bill No. 95 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: Garrison, Smith. Total 2.

Absent or not voting: Deschamps, Judge, Lewis, Raundal, Selstad, Twedt, Willits. Total 7.

Excused: Sartz. Total 1.

Senate Bill No. 111 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Cerovski, Christiansen, Cregg, Cummings, Delano, Eklund, Eskildsen, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, Jensen, Judge, Laas, Loman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, Prevost, Rygg, Schepens, Scherf, Slaby, Sullivan, Tooke, Tracy, Watt, Zimmer. Total 45.

Noes: Asbjornson, Bailey, Bollinger, Boughton, Brenner, Broeder, Casey, Crum, Dye, East, Egan, Falkenstern, Felt, Fischer, Garrison, Hanks, James, Jenkins, Johnson, Leuthold, Lombardi, Lucas, Lund, MacCalman, McNamer, Nelson, Nutting, O'Leary, Pierce, Rehberg, Schye, Sheehy, Shugrue, Smiley, Smith, Spilde, Stranahan, Swanz, Ulmer, Williams, Woodard, Mr. Speaker. Total 42.

Absent or not voting: Deschamps, Lewis, Raundal, Selstad, Twedt, Willits. Total 6.

Excused: Sartz. Total 1.

Senate Bill No. 100 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Schepens, Scherf, Schye, Sheehy, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Boughton, Garrison, James, Shugrue, Smith, Williams. Total 6.

Absent or not voting: Deschamps, Judge, Lewis, Raundal, Selstad, Twedt, Willits. Total 7.

Excused: Sartz. Total 1.

Senate Bill No. 155 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Dye, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Loman, Lucas, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Leary, Pierce, Prevost, Rehberg, Rygg, Schepens, Selstad, Sheehy, Slaby, Spilde, Stranahan, Swanz, Tooke, Ulmer, Watt, Woodard, Zimmer. Total 65.

Noes: Aasheim, Boughton, Cummings, East, Egan, Eklund, Gunderson, Harper, Leuthold, Lombardi, Lund, Obstarczyk, O'Hair, Scherf, Schye, Shugrue, Smiley, Sullivan, Tracy, Williams, Mr. Speaker. Total 21.

Absent or not voting: Deschamps, Judge, Lewis, Raundal, Smith, Twedt, Willits. Total 7.

Excused: Sartz. Total 1.

Senate Bill No. 211 was concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 79.

Noes: Aasheim, East, Harper, Shugrue, Smiley, Stranahan. Total 6.

Absent or not voting: Brenner, Deschamps, Judge, Lewis, Raundal, Twedt, Willits, Zimmer. Total 8.

Excused: Sartz. Total 1.

Senate Bill No. 91 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Haines, Hall, Hanks, Harper, Healy, Holtz,

James, Jenkins, Jensen, Johnson, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Rehberg, Rygg, Schepens, Schye, Selstad, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 75.

Noes: Atkins, Bashor, Boughton, Eskildsen, Gunderson, MacCalman, Prevost, Scherf, Sheehy, Shugrue, Stranahan, Zimmer. Total 12.

Absent or not voting: Deschamps, Judge, Lewis, Raundal, Twedt, Willits. Total 6.

Excused: Sartz. Total 1.

Senate Bill No. 200 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Egan, Eklund, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Watt. Total 56.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Eskildsen, Falkenstern, Felt, Garrison, James, Jenkins, Mather, McNamer, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard, Mr. Speaker. Total 30.

Paired: Deschamps, aye; Lucas, no. Total 2.

Absent or not voting: Bashor, Raundal, Twedt, Willits, Zimmer. Total 5.

Excused: Sartz. Total 1.

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Cerovski, Christiansen, Cregg, Cummings, Delano, Egan, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, James, Jenkins, Laas, Lucas, Lund, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Leary, Pierce, Rehberg, Scherf, Schye, Sheehy, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Watt, Woodard, Mr. Speaker. Total 54.

Noes: Boughton, Brenner, Broeder, Casey, Crum, Dye, East, Eklund, Eskildsen, Falkenstern, Garrison, Haines, Hanks, Jensen, Johnson, Leuthold, Loman, Lombardi, MacCalman, Mather, McOmber, Nutting, O'Hair, Prevost, Rygg, Schepens, Selstad, Shugrue, Smiley, Tracy, Ulmer, Williams. Total 32.

Absent or not voting: Deschamps, Judge, Lewis, Raundal, Twedt, Willits, Zimmer. Total 7.

Excused: Sartz. Total 1.

Motion was made by Cerovski that the House revert to Order of Business No. 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

East of Rosebud in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 168 be amended in the title, line 7, page 1 of the original bill, being line 3 of the title, page 1 of the printed bill following the word "bus" by adding "commencing with the 1967 models".

Further amend Senate Bill No. 168 in Section 1, line 29, page 1 of the original bill, being Section 1, line 17, page 2 of the printed bill following the word "bus" by adding "commencing with the 1967 models".

And as amended, be concurred in.

That Senate Bill No. 156 be concurred in.

That Senate Bill No. 179 be concurred in.

That Senate Bill No. 86 be concurred in.

That Senate Bill No. 34 be concurred in.

That Senate Bill No. 120 be amended in Section 1 by striking out in line 16 "that organization having the largest number of affiliated unions in the state;"

And as so amended, be concurred in.

That Senate Bill No. 180 be concurred in.

That Senate Bill No. 11 be concurred in.

That Senate Bill No. 178 be concurred in.

That Senate Bill No. 158 be concurred in.

That the committee rise and report.

EAST, Chairman.

Motion was made by East for the adoption of the committee report.

Substitute motion was made by Gilfeather that Senate Bill No. 178 be segregated from the Committee of the Whole report. Substitute motion failed.

Substitute motion was made by Judge that Senate Bill No. 120 be segregated from the Committee of the Whole report. Substitute motion carried.

Motion was made by East that the Committee of the Whole report be adopted as amended. Motion carried. Report adopted.

Motion was made by Cerovski that the House revert to Order of Business No. 5. Motion carried.

MESSAGES FROM THE SENATE

February 26, 1965

Mr. Speaker:

The President this day named the following Conference Committee to confer on Senate Amendments to House Bill No. 71:

Senator Reardon.
Senator Mahoney.
Senator Lehrkind.

Respectfully,
ALLEN DONOHUE,
Secretary of the Senate.

February 26, 1965

Mr. Speaker:

As per your request, I am directed by the Senate to return to the House for further consideration, Senate Bill No. 106.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Judge that Senate Bill No. 106 be placed on Second Reading. Motion carried.

Motion was made by Cerovski that the House give unanimous consent to suspend the rules for one day to allow first and second readings of Senate Bills tomorrow, the 55th day. Motion carried.

Motion was made by Gill that two additional days time be granted the special Fish and Game investigating committee for their report. Motion carried.

Motion was made by Cerovski that the House move on to Order of Business No. 12. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Bill No. 26: Watt, Gunderson, Crum.

February 26, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 525, 34, 520, 5, 4, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Saturday, February 27, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FIFTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 27, 1965

House convened, pursuant to adjournment, at 10:00 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call, all members were present except Deschamps, Eklund, Pierce, Selstad, Shugrue, Willits, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-fourth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORT OF STANDING COMMITTEES

February 26, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 519, 529, 530, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 154, respectfully report as follows: That Senate Bill No. 154 be not concurred in.

SHEEHY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 26, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 395, introduced by Judge (by request) was this day recommended for non-concurrence by the Senate Committee, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Tooke of Carter, in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Bill No. 104 be concurred in.

That Senate Bill No. 105 be concurred in.

That Senate Bill No. 106 be amended as follows:

1. Amend the title in line 4 of the printed bill by deleting the figures "81-2007,".

2. Further amend the title in lines 4 and 5, page 1 of the printed bill, by deleting the following: "81-2106, 81-2108, 81-2112, 81-2125,".

3. Further amend the title in lines 6 and 7, page 1 of the printed bill, by deleting the following: "and 89-103" and inserting the word "and" between the figures "89-1201," and "89-2901"

4. Further amend the title by inserting the following material after the word and punctuation "board;" in line 10, page 1 of the printed bill: "abolishing the Carey Land Act Board; repealing Sections 81-2001, 81-2002, 81-2003, 81-2004, 81-2005, 81-2007, 81-2013, 81-2015, 81-2017, 81-2101 through 81-2121, 81-2123 and 81-2125 through 81-2130, R. C. M. 1947;"

5. Further amend the title in line 9, page 1 of the printed bill by deleting the words "director of the".

6. Further amend the title in line 11, page 1 of the printed bill by inserting the following between the words "funds of" and "the office": "the Cary Land Act Board and".

7. Further amend the title in line 17, page 1 of the printed bill, by deleting the words "the Carey Land Act Board".

8. Amend Section 2, pages 2 and 3 of the printed bill, by striking that section in its entirety, and renumbering the remaining sections.

9. Amend Section 3, in line 3, page 3 of the printed bill, by deleting the words "director of the".

10. Further amend Section 3, in lines 4 and 5, page 3 of the printed bill, by deleting the words "and it is hereby made his duty in addition to the other duties of his office".

11. Amend Section 4, line 4, page 4 of the printed bill, by deleting the words "director of the".

12. Delete Sections 5, 6, 7 and 8 in their entirety, from pages 4, 5, 6 and 7 of the printed bill, and renumber the remaining sections.

13. Amend Section 9, in lines 8 and 9, page 7 of the printed bill by deleting the words "director of the State Water Conservation Board" and inserting in lieu thereof the following: "a person designated by the State Water Conservation Board".

14. Delete Section 10 in its entirety, from pages 7, 8, 9 and 10 of the printed bill, and renumber remaining sections accordingly.

15. Amend Section 11, in line 8, page 10 of the printed bill, by deleting the words "director of the".

16. Further amend Section 11, in line 15, and again in line 18, page 11 of the printed bill by deleting the words "director of the".

17. Further amend Section 11, in lines 20 and 21, page 11 of the printed bill, by deleting the words "be his duty to".

18. Further amend Section 11, in line 22, page 11 of the printed bill, by deleting the word "his" and inserting in lieu thereof the word "its".

19. Further amend Section 11, in line 26, page 11 of the printed bill by deleting the words "director of the".

20. Further amend Section 11, in line 27, page 11 of the printed bill by deleting the word "he" and inserting in lieu thereof the word "it".

21. Further amend Section 11, in line 31, page 11 of the printed bill by deleting the words "director of the".

22. Amend Section 12, in line 9, page 12 of the printed bill, by deleting the words "director of the".

23. Amend Section 13, in line 3, page 12 of the printed bill, by deleting the words "At the direction of".

24. Further amend Section 13, in lines 4 and 5, page 12 of the printed bill by deleting the word "the" which appears before ["state engineer"] and the words "Director of the State Water Conservation Board".

25. Amend Section 14, in lines 3 and 4, page 12 of the printed bill, by deleting the following material: "Director of the State Water Conservation Board, upon direction of the".

26. Amend Section 15, in line 3, page 12 of the printed bill, by deleting the words "director of the"

27. Further amend Section 15 in lines 5 and 6, pages 12 and 13 of the printed bill by deleting the words "upon direction of the State Water Conservation Board or upon the direction of the court".

28. Further amend Section 15, in line 8, page 13 of the printed bill, by adding the word "persons" at the end of the line following the words "available to".

29. Further amend Section 15, in line 9, page 13 of the printed bill by deleting the words "said board or others".

30. Further amend Section 15, in line 10, page 13 of the printed bill, by deleting the words "director of the".

31. Further amend Section 15, in line 11, page 13 of the printed bill, by deleting the word "assistant" and inserting in lieu thereof the word "employee".

32. Further amend Section 15, in line 22, page 13 of the printed bill, by deleting the words "at his office".

33. Further amend Section 15, in line 23, page 13 of the printed bill, by deleting the words "director of the".

34. Further amend Section 15, in line 24, page 13 of the printed bill, by deleting the words "he shall deem" and inserting in lieu thereof the word "deemed".

35. Further amend Section 15, in lines 25, 26 and 27, page 13 of the printed bill, by deleting the words "by said board, and to file with said board a detailed report and copies of such maps or plats covering such information so acquired by him".

36. Amend Section 16, in line 7, page 14 of the printed bill, by deleting the words "director of the".

37. Amend Section 16, in line 8, page 14 of the printed bill, by deleting the word "his" and inserting in lieu thereof the word "its".

38. Amend Section 17, in line 11, page 15 of the printed bill, by deleting the words "director of the".

39. Further amend Section 17, in line 12, page 15 of the printed bill, by deleting the word "his" and inserting in lieu thereof the word "its".

40. Further amend Section 17, in line 14, page 15 of the printed bill, by deleting the word "he" and inserting in lieu thereof the word "it".

41. Amend Section 18, in line 6, page 15 of the printed bill by deleting the words "director of the".

42. Further amend Section 18, in line 8, page 15 of the printed bill by deleting the words "director of the".

43. Further amend Section 18, in line 9, page 15 of the printed bill by deleting the word "his" and inserting in lieu thereof the word "its".

44. Amend Section 19, page 16, line 3 of the printed bill, by deleting the words "director of the".

45. Amend Section 20, page 16, line 3 in the printed bill, by deleting the words "director of the".

46. Further amend Section 20, page 16, line 5 in the printed bill, by deleting the word "his" and inserting in lieu thereof the word "its".

47. Further amend Section 20, page 16, line 10 in the printed bill, by deleting the word "his" and inserting in lieu thereof the word "its".

48. Amend Section 21, in line 42, page 18 of the printed bill, by deleting the words "director of the".

49. Further amend Section 21, in line 49, page 18 of the printed bill, by deleting the words "director of the".

50. Further amend Section 21, in line 51, page 18 of the printed bill, by deleting the words "director of the".

51. Further amend Section 21, in line 52, page 18 of the printed bill, by deleting the following: "(other than his salary), in his" and inserting in lieu thereof the words "in the".

52. Further amend Section 21, in line 54, page 18 of the printed bill, by deleting the word "his" before the word "report" and inserting in lieu thereof the word "the"; and further deleting in that line the word "director" and substituting the word "board".

53. Further amend Section 21, in line 56, page 18 of the printed bill, by deleting the words "director of the".

54. Further amend Section 21, in line 57, page 18 of the printed bill, by deleting the word "his" and substituting the word "its".

55. Amend Section 22, page 19, line 25 of the printed bill, by deleting the words "director of the".

56. Amend Section 23, line 2 page 20 of the printed bill, by inserting before the words "State Engineer" the following: "Carey Land Act Board, or the".

57. Amend Section 24, line 3, page 20 of the printed bill, by inserting before the words "in the office" the following material: "belonging to the Carey Land Act Board, or".

58. Amend Section 25, line 3, page 20 of the printed bill, by inserting before the words "State Engineer" the following material: "Carey Land Act Board or the".

59. Further amend Senate Bill No. 106 at the end of page 20 in the printed bill, by adding the following new section:

"Section 22. Sections 81-2001, 81-2002, 81-2003, 81-2004, 81-2005, 81-2007, 81-2013, 81-2015, 81-2017, 81-2101 through 81-2121, 81-2123 and 81-2125 through 81-2130, R. C. M. 1947 are repealed."

And as amended, be concurred in.

(Material in brackets stricken.)

That Senate Bill No. 43 be not concurred in.

That Senate Bill No. 173 be amended as follows:

Amend the title by striking out in lines six through eight of the title in the printed bill the words and punctuation "providing that said Section 81-1702 shall not apply to oil and gas leases hereafter issued;" and inserting in lieu thereof the words "providing that the Commissioner of State Lands shall make biennial reports to the Legislative Assembly on status of oil and gas leases;"

Amend Section 1 by striking out in line 13, page 2 of the printed bill, the words "fifth and" and the letter "s" on the word "years" on line 14, page 2 of the printed bill.

Amend Section 1 by striking out in lines 12 and 13, page 2 of the printed bill, the words, figures and punctuations: "for the third and fourth years of such lease the sum of one dollar (\$1.00) per acre per year,"

Amend Section 2 by striking out in lines 1, 2 and 3 on page 3 of the printed bill, all of Section 2, and inserting in lieu thereof the words, figures, and punctuation as follows:

"Section 2. Each biennium while this act is in effect, the Commissioner of State Lands shall report in writing to each legislative assembly, before the tenth legislative day, the status of all oil and gas leases on state

lands as of the close of the preceding biennium. Such report shall, for each year of the biennium, include at least the following:

- “(a) The total number of acres of state lands under oil and gas lease;
- “(b) The total income for each year of the biennium from such leases, showing separately the average amounts per leased acre of bonuses, annual rentals, and non-drilling penalty payments, when applicable;
- “(c) The number of acres and total income under producing leases;
- “(d) The number of acres newly leased;
- “(e) The number of acres for which existing leases were renewed;
- “(f) The number of acres for which leases were dropped or terminated;
- “(g) The percentage of leases and of acres leased that were dropped or terminated after the first year of the lease term, after the second year of the lease term, and so continuing for each year of the lease term; and
- “(h) Comparative figures in each of the foregoing categories for each year of the four preceding bienniums.”

And as amended, be concurred in.

That Senate Bill No. 139 be concurred in.

That Senate Bill No. 184 be concurred in.

That Senate Bill No. 120 be concurred in.

That the Committee rise and report.

TOOKE, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 1:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

February 27, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 30, 53, 85, 423, 7, 261, 450, 387, 134, 239, 38, 220, 313, 240, 263, 191, 389, 339, 489, 155, 128, 154, 247.

HARPER, Chairman.

I have examined House Bill No. 30 introduced by me and find the same to be correct.

HARPER.

I have examined House Bill No. 53 introduced by me and find the same to be correct.

ZIMMER.

I have examined House Bill No. 85 introduced by me and find the same to be correct.

HAINES.

I have examined House Bill No. 423 introduced by me and find the same to be correct.

CEROVSKI.

I have examined House Bill No. 7 introduced by me and find the same to be correct.

WAYRYNEN.

I have examined House Bill No. 261 introduced by me and find the same to be correct.

EAST.

I have examined House Bill No. 450 introduced by me and find the same to be correct.

HEALY.

I have examined House Bill No. 387 introduced by me and find the same to be correct.

TWEDT.

I have examined House Bill No. 134 introduced by me and find the same to be correct.

BOLLINGER.

I have examined House Bill No. 239 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 38 introduced by me and find the same to be correct.

HANKS.

I have examined House Bill No. 220 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 240 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 263 introduced by me and find the same to be correct.

DELANO.

I have examined House Bill No. 191 introduced by me and find the same to be correct.

JOHNSON.

I have examined House Bill No. 389 introduced by me and find the same to be correct.

SMILEY.

I have examined Substitute for House Bill No. 339 introduced by me and find the same to be correct.

McNAMARA.

I have examined House Bill No. 489 introduced by me and find the same to be correct.

FLYNN.

I have examined House Bill No. 155 introduced by me and find the same to be correct.

SCHEPENS.

I have examined House Bill No. 128 introduced by me and find the same to be correct.

O'HAIR.

I have examined House Bill No. 154 introduced by me and find the same to be correct.

NUTTING.

I have examined House Bill No. 247 introduced by me and find the same to be correct.

LAAS.

I have examined House Bill No. 313 introduced by me and find the same to be correct.

GILLIGAN.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 313, 247, 154, 128, 489, Sub. for H. B. No. 339, House Bills Nos. 389, 191, 263, 30, 53, 85, 423, 240, 220, 38, 239, 134, 387, 450, 261, 7, 155.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 170, respectfully report as follows: That Senate Bill No. 170 be amended as follows:

Section 4-301, page 16, lines 9 and 10 of the original bill which is line 318, page 20 of the printed bill by deleting the word and figures, "Section 84-1817", and inserting in lieu thereof "Sections 4-308 through 4-310.", and

Amend in Section 5-407, page 43, line 9, of the original bill and page 49, line 397 of the printed bill adding the word "district" following the word "improvement", and

Amend in Section 5-414, page 45, line 29 of the original bill, which is page 51, line 476 of the printed bill by deleting the word "or" and inserting the word "for" in lieu thereof, and

Amend in Section 6-502, page 67, line 13 of the original bill which is line 420, page 75 of the printed bill by deleting the comma following the word "made", and

Amend in Section 6-509, page 71, line 3 of the original bill, which is line 530, page 79 of the printed bill by deleting the comma following the word "bonds", and

Amend in Section 6-214, page 62, line 6 of the original bill which is page 69, line 262 of the printed bill by deleting the word "of" following the word "trailer" and inserting the word "or" in lieu thereof,

And as amended, be concurred in.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 109, respectfully report as follows: That Senate Bill No. 109 be amended as follows:

That Senate Amendment in Section 1, subsection (2), line 26, page 2 of the original bill, being line 30, page 3 of the printed bill, following the word and period "students." be stricken and the following be inserted:

"Student building fees established and in effect on January 1, 1965, which are imposed uniformly upon all students, or upon all of a specified class of students in attendance at any unit of the University of Montana, shall not be increased without authorization by law, unless absolutely necessary to the extent to pay only principal or interest due on obligations for which such fees have been or shall be pledged, or to maintain reserves securing the payment of such obligations, in accordance with the indentures, resolutions, contracts or other instruments authorizing the issuance of such obligations; provided that at any unit of the University of Montana where the aggregate amount of student building fees in effect in January 1, 1965 was less than fifty dollars (\$50.00) per student per academic year, such fees may be increased or additional student building fees may be established, to an aggregate amount not exceeding fifty dollars (\$50.00) per student per academic year and provided further that additional student building fees may be established or existing student building fees may be increased at Montana State University, at Missoula, to an aggregate

amount not to exceed ninety dollars (\$90.00) per student per academic year. This limitation shall not affect admission or use charges, which are made to individual students or others in proportion to their use or occupancy of particular facilities or services and shall not affect any student building fees or other charges which are made to non-resident students as defined in Section 75-506, R. C. M 1947."

And further amend Section 1, subsection (1) between lines 5 and 6 of the original bill on page 2, being between lines 21 and 22 of page 2 of the printed bill by adding the following:

"When a facility or part of a facility has been designated as a student union, such facility or part of facility shall be used only as a student union."

And as so amended, be concurred in.

BARDANOUE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 25, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 46—Introduced by Nelson and Ulmer.

House Bill No. 86—Introduced by Nutting, Mather, Tooke, Rehberg, et al.

House Bill No. 133—Introduced by Cummings, Pierce and Bollinger.

House Bill No. 171—Introduced by Hanks and Nichols.

House Bill No. 177—Introduced by Request—Delano.

House Bill No. 181—Introduced by McNamer and Sheehy.

House Bill No. 182—Introduced by McNamer and Sheehy.

House Bill No. 183—Introduced by McNamer and Sheehy.

House Bill No. 184—Introduced by McNamer and Sheehy.

House Bill No. 195—Introduced by Crum, McNamara, Dye, Healy et al.

House Bill No. 222—Introduced by Bardanoue.

House Bill No. 250—Introduced by Highways Committee.

House Bill No. 336—Introduced by Haines.

House Bill No. 436—Introduced by McNamer and Mather.

House Bill No. 438—Introduced by McNamer and Mather.

House Bill No. 451—Introduced by Healy, Pierce, Lombardi et al.

House Bill No. 472—Introduced by Gilligan, Tracy, O'Leary, Slaby.

Sincerely yours,

TIM BABCOCK, Governor

MESSAGES FROM THE SENATE

February 27, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 430, introduced by Mather and Gilligan.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 26, 1965

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration, House Bill No. 347, introduced by Hanks and Leuthold.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 27, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

- House Bill No. 91, introduced by Aasheim, et al.
- House Bill No. 147, introduced by Judge, et al.
- House Bill No. 189, introduced by Hanks & Twedt.
- House Bill No. 230, introduced by Felt, et al.
- House Bill No. 256, introduced by Deschamps, et al.
- House Bill No. 280, introduced by Watt, et al.
- House Bill No. 283, introduced by Garrison, et al.
- House Bill No. 290, introduced by Sheehy, et al.
- House Bill No. 311, introduced by Sheehy, et al.
- House Bill No. 317, introduced by Schepens & O'Hair.
- House Bill No. 324, introduced by Tracy.
- House Bill No. 333, introduced by Harper, et al.
- House Bill No. 402, introduced by Flynn and Schye.
- House Bill No. 477, introduced by Flynn, et al.
- Senate Sub. for House Bill No. 495, introduced by Mather.
- House Bill No. 517, introduced by Wayrynen and Bashor.
- House Joint Resolution No. 26, introduced by Loman, et al.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 27, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 306, introduced by Wayrynen, et al, was this day recommended that further action be indefinitely postponed by the Senate Committee of the Whole, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 27, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 202, introduced by James, was this day recommended for non-concurrence by the Senate Committee, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

February 27, 1965

Mr. Speaker:

The President this day, named the Conference Committee to consider Senate Amendments to House Bill No. 49:

Senator Kafka.
Senator Hafferman.
Senator McDonnell.

Respectfully,

ALLEN DONOHUE
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Nichols that Senate Bill No. 221 be taken from Appropriations Committee and placed on Third Reading.

Substitute motion was made by Cеровski that Senate Bill No. 221 be indefinitely postponed, that a roll call vote be taken, with the results thereof spread on the Journal.

Motion was made by Lucas that the House recess, subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Motion was made by Nichols that Senate Bill No. 221 be taken from Appropriations Committee and place on Third Reading, that a roll call vote be taken with the results thereof spread on the Journal. Sufficient seconds arose, and the motion failed by the following vote:

Ayes: Asbjornson, Boughton, Broeder, Casey Cregg, Crum, Delano, Dye, East, Falkenstern, Felt, Fischer, Garrison, Haines, Jensen, Laas, Leuthold, Loman, Lund, MacCalman, Mather, McNamara, McNamer, Nelson, Nichols, Nutting, Rehberg, Rygg, Schye, Slaby, Smiley, Smith, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 39.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Christiansen, Cummings, Egan, Eklund, Eskildsen, Flynn, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, McDonald, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Shugrue, Tracy, Twedt, Watt, Zimmer, Mr. Speaker. Total 41.

Paired: Lucas, aye; Willits, no; Pierce, aye; Cerovski, no; Selstad, aye; Gilfeather, no; James, aye; Deschamps, no.

Absent or not voting: Gerke, Gill, Harper, Jenkins, Sheehy, Spilde. Total 6.

Excused: None.

Motion was made by Cerovski that further consideration of Senate Bill No. 221 be indefinitely postponed. Motion carried.

Motion was made by Eskildsen that the House reconsider its action on Senate Bill No. 221.

Substitute motion was made by Cerovski that the motion by Eskildsen be laid on the table. Substitute motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Tooke of Carter in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That consideration of House Bill No. 522 be passed for the day.

That consideration of House Bill No. 524 be passed for the day.

That consideration of House Bill No. 526 be passed for the day.

That consideration of House Bill No. 528 be passed for the day.

That Senate Amendments to House Substitute for House Bill No. 19 be concurred in.

That Senate Amendments to House Bill No. 231 be concurred in.

That Senate Amendments to House Bill No. 321 be concurred in.

That Senate Amendments to House Bill No. 383 be concurred in.

That the Committee rise and report and beg leave to sit again.

TOOKE, Chairman.

Report adopted.

THIRD READING OF SENATE BILLS

The following having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 150 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bardanouve, Bashor, Boughton, Brenner, Casey, Cregg, Crum, Cummings, East, Egan, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson,

Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, Mather, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Rehberg, Schye, Sheehy, Shugrue, Slaby, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard. Total 60.

Noes: Asbjornson, Bailey, Bollinger, Cerovski, Christiansen, Delano, Haines, Hall, Hanks, Loman, Lucas, McDonald, McNamara, Prevost, Rygg, Sartz, Schepens, Scherf, Smiley, Smith, Spilde, Stranahan, Tracy, Zimmer, Mr. Speaker. Total 25.

Absent or not voting: Broeder, Dye, Jensen, Raundal. Total 4.

Excused: Deschamps, Eklund, Pierce, Selstad, Willits. Total 5.

Senate Bill No. 168 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Eskildsen, Falkenstern, Felt, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Zimmer. Total 64.

Noes: Asbjornson, Bashor, Boughton, Brenner, Cregg, Dye, East, Egan, Fischer, Flynn, Gerke, James, Jenkins, Leuthold, McNamara, Raundal, Smiley, Smith, Spilde, Swanz, Woodard, Mr. Speaker. Total 22.

Absent or not voting: Broeder, Jensen, Judge. Total 3.

Excused: Deschamps, Eklund, Pierce, Selstad, Willits. Total 5.

Senate Bill No. 156 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Healy, Holtz, James, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 79.

Noes: Bardanouve, Cregg, East, Hanks, Harper, Johnson, MacCalman, Scherf, Shugrue, Zimmer. Total 10.

Absent or not voting: Broeder. Total 1.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 179 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby,

Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Bardanouve, Broeder. Total 2.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 86 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Broeder, Garrison. Total 2.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 34 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer. Total 87.

Noes: Sullivan. Total 1.

Absent or not voting: Broeder, Mr. Speaker. Total 2.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 180 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Williams, Zimmer, Mr. Speaker. Total 76.

Noes: East, Falkenstern, Felt, Garrison, Haines, Jenkins, Lucas, Nutting, Schye, Smith, Swanz, Ulmer, Woodard. Total 13.

Absent or not voting: Broeder. Total 1.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 11, being a constitutional amendment requiring two-thirds vote for passage, was not concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Casey, Cerovski, Christiansen, Delano, East, Egan, Felt, Flynn, Gerke, Gill, Gilligan, Gunderson, Haines, Harper, Healy, Holtz, James, Judge, Laas, Lewis, Lombardi, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Leary, Rehberg, Rygg, Sartz, Sheehy, Shugrue, Sullivan, Swanz, Tooke, Ulmer, Zimmer. Total 48.

Noes: Asbjornson, Brenner, Cregg, Crum, Cummings, Dye, Eklund, Eskildsen, Falkenstern, Fischer, Garrison, Gilfeather, Hall, Hanks, Jenkins, Jensen, Johnson, Leuthold, Loman, Lucas, Lund, MacCalman, McOmber, Obstarczyk, O'Hair, Prevost, Raundal, Schepens, Scherf, Schye, Slaby, Smiley, Smith, Spilde, Stranahan, Tracy, Twedt, Watt, Williams, Woodard, Mr. Speaker. Total 41.

Absent or not voting: Broeder. Total 1.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 178, being a constitutional amendment requiring two-thirds vote for passage, was not concurred in by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bollinger, Casey, Cregg, Crum, Cummings, Delano, Egan, Eskildsen, Felt, Flynn, Gerke, Gill, Haines, Harper, Healy, James, Jenkins, Johnson, Laas, Lewis, Loman, Lombardi, Lucas, MacCalman, McDonald, McNamer, Meccage, Nefzger, Nichols, Raundal, Rehberg, Slaby, Spilde, Sullivan, Tooke, Tracy, Twedt, Ulmer, Woodard, Mr. Speaker. Total 43.

Noes: Aasheim, Atkins, Bashor, Boughton, Brenner, Cerovski, Christiansen, Dye, East, Eklund, Falkenstern, Fischer, Garrison, Gilfeather, Gilligan, Gunderson, Hanks, Holtz, Jensen, Judge, Leuthold, Lund, Mather, McNamara, McOmber, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Smiley, Smith, Stranahan, Swanz, Watt, Williams, Zimmer. Total 45.

Absent or not voting: Broeder, Hall. Total 2.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 158 was concurred in by the the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Woodard, Zimmer. Total 81.

Noes: Fischer, Flynn, Garrison, Nutting, Smiley, Smith, Williams, Mr. Speaker. Total 8.

Absent or not voting: Broeder. Total 1.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy,

Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Woodard, Mr. Speaker. Total 81.

Noes: Bollinger, Cummings, Leuthold, Shugrue, Tracy, Williams. Total 6.

Absent or not voting: Bardanouve, Broeder, Zimmer. Total 3.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Egan, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: Atkins, Cummings, Dye, East, Eklund, Harper, Leuthold, Lombardi, Nefzger, Shugrue, Tracy, Williams. Total 12.

Absent or not voting: Broeder, Nichols. Total 2.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 106 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Cummings, Eklund, Harper, Healy, Lombardi, Shugrue, Tracy. Total 7.

Absent or not voting: Atkins, Broeder. Total 2.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 173 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bashor, Bollinger, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Eklund, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 70.

Noes: Atkins, Bardanouve, Brenner, Cerovski, Christiansen, Cregg, Cummings, Egan, Eskildsen, Flynn, Gilligan, Harper, Johnson, McOmber, Raundal, Shugrue, Tracy, Twedt, Zimmer. Total 19.

Absent or not voting: Jensen. Total 1.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 139 was concurred in by the following vote:

Ayes: Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Eklund, Eskildsen, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Zimmer, Mr. Speaker. Total 67.

Noes: Aasheim, Asbjornson, Casey, Dye, East, Egan, Falkenstern, Garrison, Hanks, Jenkins, Laas, Leuthold, McNamer, Nefzger, Nutting, Rehberg, Smiley, Smith, Spilde, Stranahan, Swanz, Williams, Woodard. Total 23.

Absent or not voting: None.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 184 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, East, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tracy, Twedt, Watt, Woodard, Zimmer. Total 69.

Noes: Asbjornson, Broeder, Delano, Dye, Falkenstern, Felt, Garrison, James, Jenkins, Jensen, Lucas, Lund, Nutting, Schye, Smiley, Smith, Spilde, Tooke, Ulmer, Williams. Total 20.

Absent or not voting: Mr. Speaker. Total 1.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 120 was concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Zimmer. Total 52.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Cummings, Delano, Dye, East, Falkenstern, Felt, Garrison, James, Jenkins, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Rehberg, Rygg, Schye, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 35.

Absent or not voting: Egan, Gilfeather, Mr. Speaker. Total 3.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Amendments to House Substitute for House Bill No. 19 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Rehberg, Rygg, Sartz, Schepens, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Scherf, Schye, Sullivan. Total 3.

Absent or not voting: Gerke, Loman, Raundal, Smiley. Total 4.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Amendments to House Bill No. 231 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Slaby, Smith, Spilde, Stranahan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Harper, Lombardi, Shugrue, Sullivan, Tracy. Total 5.

Absent or not voting: Gerke, Smiley. Total 2.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Amendments to House Bill No. 321 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Flynn. Total 1.

Absent or not voting: Gerke, Harper, Smiley. Total 3.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Amendments to House Bill No. 383 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg,

Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer. Total 83.

Noes: Garrison, McDonald, Smith, Stranahan. Total 4.

Absent or not voting: Gerke, Smiley, Mr. Speaker. Total 3.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the wishes of the Senate and return House Bill No. 430 to them for further consideration.

Motion was made by Cerovski that the House accede to the wishes of the Senate and return House Bill No. 347 to them for further consideration.

The following resolution was introduced, read first time and referred to committee:

House Resolution No. 18, introduced by Aasheim, Christiansen: A Resolution of the House of Representatives of the State of Montana establishing an interim committee to study the problem of reapportioning the Montana Legislative Assembly and present its findings to the United States District Court for the district of Montana. Referred to Committee on Reapportionment.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading under the rules of the previous sitting. Motion carried.

Tooke of Carter in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business Second Reading, recommend the following:

That Senate Bill No. 170 be concurred in.

That Senate Bill No. 109 be concurred in.

That the Committee rise and report.

TOOKE, Chairman.

Report adopted.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 170 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanoue, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings,

Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: None.

Absent or not voting: Bashor, Boughton, Garrison, Haines, Healy, McOmber, Shugrue, Sullivan. Total 8.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

Senate Bill No. 109 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Hall, Hanks, Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Broeder, Cummings, Gilligan, Gunderson, McDonald. Total 5.

Absent or not voting: Bashor, Haines, Holtz, McOmber. Total 4.

Excused: Deschamps, Pierce, Selstad, Willits. Total 4.

February 27, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: 153, 433, 374.

HARPER, Chairman.

I have examined House Bill No. 153 introduced by me and find the same to be correct.

NUTTING.

I have examined Hose Bill No. 433 introduced by me and find the same to be correct.

RAUNDAL.

I have examined House Bill No. 374 introduced by me and find the same to be correct.

SHEEHY.

The Speaker signed the following House Bills in open session, the titles having first been read: 153, 374, 433.

Motion was made by Cerovski that the House adjourn until 10:30 a.m. Monday, March 1, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FIFTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 1, 1965

House convened, pursuant to adjournment, at 10:30 a. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Haines, Loman, excused, and Crum.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-fifth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

February 27, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 191, 339, 389, 489, 154, 128, 247, 313, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:55 o'clock p. m., delivered to the Governor for his approval.

HARPER, Chairman.

February 27, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 85, 240, 423, 220, 155, 239, 38, 7, 261, 450, 387, 134, 263, 30 and 53, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:55 o'clock p. m., delivered to the Governor for his approval.

HARPER, Chairman.

Mr. Speaker: We, your Joint Conference Committee of House and Senate, having had under consideration Senate Amendments to House Bill No. 71, respectfully report as follows: That the House concur in the Senate Amendments to House Bill No. 71.

REARDON, Chairman,
MAHONEY,
LEHRKIND,
TWEDT,
SCHEPENS,
HAINES.

Twedt moved for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Laas, Lewis, Lombardi, McDonald, McNamara, McOmber, Meccage, Neffzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 51.

Noes: Asbjornson, Boughton, Broeder, Casey, Delano, Dye, East, Falkenstern, Felt, Garrison, James, Jenkins, Jensen, Leuthold, Lucas, Lund, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Schye, Selstad, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 34.

Absent or not voting: Crum, Egan, Gill, Judge, MacCalman, Sheehy, Smiley. Total 7.

Excused: Haines, Loman. Total 2.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 119, respectfully report as follows: That Senate Bill No. 119 be amended as follows:

1. Amend the title in line 7, page 1 of the original bill, which is line 4, page 1 of the printed bill by deleting the word "and" and substituting therefor a comma, and adding the following material after "59-1106,": "3-1705, 3-1717, 3-2014, and 3-2016,".

2. Add the following Sections following Section 5, line 13 of page 5 of the original bill, which is Section 5, page 5, line 8 of the printed bill, and renumbering the remaining section accordingly:

"Section 6. Section 3-1705, R. C. M. 1947 is amended to read as follows:

3-1705. (a) Before any commercial fertilizer is sold or offered for sale within the State of Montana, the manufacturer, importer or party who causes it to be sold or offered for sale, shall separately register with the Commissioner of Agriculture of the State of Montana, each and every brand and also each different mixed or unmixed commercial fertilizer which he offers for sale under the same brand, and shall pay annually to said commissioner, before offering such product for sale, a license fee of twenty-five dollars (\$25.00), for each commercial fertilizer so registered and offered for sale in this state, and shall at the same time file with said commissioner a certified copy of the statement and certificate referred to in Sections 3-1702 and 3-1703 and shall also deposit with said commissioner a sealed glass jar containing not less than two (2) pounds of such fertilizer, with an affidavit that it is a fair sample of the article thus to be sold, or offered for sale. The said Commissioner of Agriculture may refuse to register materials whose value in improving soil conditions cannot be established by experimental evidence.

(b) It is required of each registrant who causes fertilizer to be sold or offered for sale under this act that he furnish the Commissioner of Agriculture with a written statement of the amount of each brand of fertilizer sold by him in the state. Said statement shall include all sales for the periods of January first to and including June thirtieth and of July first to and including December thirty-first of each year. The commissioner may, in his discretion, cancel the registration of any person or firm failing to comply with this section if the above statement is not made within thirty (30) days from date of notification. The commissioner, however, in his discretion, may grant a reasonable extension of time.

(c) Fees collected under this section shall be deposited to the credit of the earmarked revenue fund and shall be used for the expenses of administering this act."

Section 7. Section 3-1717, R. C. M. 1947 is amended to read as follows:

"3-1717. (a) There shall be paid to the commissioner for all commercial fertilizers offered for sale, sold, or distributed in this state an inspection fee at the rate of fifteen cents (15¢) per ton: Provided that sales to manufacturers or exchanges between them are hereby exempted. All fees [so] collected under this section shall be deposited in the State Treasury to the credit of the [general fund] earmarked revenue fund and shall be used for the expenses of administering this act. On individual packages of commercial fertilizer containing ten (10) pounds or less, there shall be no inspection fee. Where a person sells commercial fertilizer in packages of ten (10) pounds or less and in packages over ten (10) pounds, the inspection fee shall apply only to that portion sold in packages of over ten (10) pounds.

(b) Payment of the inspection fee shall be evidenced by a statement made in due form of law, of commercial fertilizer distributed, together with documents showing that fees corresponding to the tonnage were received by the commissioner.

Every registrant who distributes commercial fertilizer in this state shall:

File an affidavit semiannually within thirty (30) days after each January 1 and each July 1 of each year setting forth the number of net tons of commercial fertilizer distributed in this state during the preceding six-months' (6) period; and upon filing such statement shall pay the inspection fee at the rate stated in paragraph (a) of this section. If the tonnage report is not filed and the payment of the inspection fee is not made within fifteen (15) days after the date due, a collection fee amounting to ten (10) per cent (minimum ten dollars (\$10.00)) of this amount due shall be assessed against the registrant, and the amount of fees due shall constitute a debt and become the basis of a judgment against the registrant."

Section 8. Section 3-2014, R. C. M. 1947, is amended to read as follows:

"3-2014. (a) Each commercial feed shall be registered before being distributed in this state; provided, however, that customer-formula feeds are exempt from registration. The application for registration shall be submitted to the commissioner on forms furnished by the commissioner and shall be accompanied by a fee of ten dollars (\$10.00) for each commercial feed submitted for registration. Upon the request of the commissioner, each such registration shall be accompanied by a label or other printed matter describing the product, and shall include the information required by subparagraphs (2), (3), (4) and (5), of paragraph (a) of Section 4 (3-2015). Upon approval by the commissioner, a copy of the registration shall be furnished to the applicant. Once registered, the registration of a feed shall be renewed by December 31 of each year by payment of an annual fee of ten dollars \$10.00. Monies collected under the provisions of this section shall be deposited in the [general fund of the state] State Treasury to the credit of the earmarked revenue fund and shall be used for the expenses of administering this act.

The commissioner may by regulation permit on the registration the alternative listing of ingredients of comparable feeding value, provided that the label for each package shall state the specific ingredients which are in such package.

(b) A distributor shall not be required to register any brand of commercial feed which is already registered under this act by another person.

(c) Changes in the guarantee of either chemical or ingredient composition of a registered commercial feed may be permitted by the commissioner provided there is satisfactory evidence that such changes would not result in a lowering of the feeding value of the product for the purpose for which designed.

(d) The commissioner is empowered to refuse registration of any application not in compliance with the provisions of the act and to cancel any registration subsequently found not to be in compliance with any provisions of this act; provided, however, that no registration shall be refused or cancelled until the registrant shall have been given opportunity to be heard before the commissioner and to amend his application in order to comply with the requirements of this act."

Section 9. Section 3-2016, R. C. M. 1947 is amended to read as follows:

"3-2016. (a) Each and every person who distributes commercial feed in this state to the ultimate consumer shall pay to the commissioner an inspection fee, based on the gross annual value of feed distributed in this state, according to the following schedule:

Up to and including five hundred dollars (\$500.00) gross annual value of feeds distributed.....\$10.00. Over five hundred dollars (\$500.00)

and up to and including one hundred thousand dollars (\$100,000.00) gross annual value of feeds distributed.....\$25.00. Each and every twenty-five thousand dollars (\$25,000.00) additional gross annual value of feeds distributed or fraction thereof, an additional inspection fee of.....\$10.00; provided, however, that distribution of commercial feeds to manufacturers are hereby exempted if the commercial feeds so distributed are used solely in the manufacture of feeds which are registered. Monies collected under the provisions of this section shall be deposited in the [general fund of the] State Treasury to the credit of the earmarked revenue fund and shall be used for the expenses of administering this act.

(b) Every person, except as hereinafter provided, who distributes commercial feed in this state shall:

(1) File, not later than the last day of January of each year, a statement setting forth the gross annual value of feeds distributed in this state during the preceding calendar year; and upon filing such statement shall pay the inspection fee at the rate stated in paragraph (a) of this section. When more than one (1) person is involved in the distribution of a commercial feed, the person who distributes to the consumer is responsible for reporting the gross annual value of feeds so distributed and paying the inspection fee.

(2) Keep such records as may be necessary or required by the commissioner to indicate accurately the gross annual value of commercial feeds distributed in the state, and the commissioner or his authorized agent shall have the right to examine such records to verify statement of gross annual value of feeds distributed. Failure to make an accurate statement of the gross annual value of feeds distributed or to pay the inspection fee or to comply as provided for in this section shall constitute sufficient cause for the cancellation of all registrations on file for the distributor after a hearing as provided in this act, and the distributor shall be subject to the penalties set forth in Section 12 (3-2023) of this act."

And as amended, be concurred in.

(Matter in brackets stricken.)

BARDANOUVE, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 27, 1965 at 2:25 p.m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 85, 240, 423, 220, 155, 239, 38, 7, 261, 450, 387, 134, 263, 30, 53, 191, 339, 389, 489, 154, 128, 247, 313.

TIM BABCOCK, Governor.

By Lucille M. Baker.

February 27, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 268—Introduced by Schye and Deschamps.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

February 27, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate committees, reports adopted, and the same are herewith returned to the House:

House Bill No. 84, introduced by Leuthold, et al.

House Bill No. 421, introduced by Sheehy, et al.

House Bill No. 493, introduced by Schepens.

House Bill No. 99, introduced by James, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 27, 1965

Mr. Speaker:

The Senate this day failed to concur in House Amendments to Senate Bill No. 7, requested the President appoint a Conference Committee of three and request the Speaker to appoint a like committee. The President named:

Senator Rieder,
Senator McGowan,
Senator Mathers.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 1, 1965

Mr. Speaker:

The Senate this day, by roll call vote adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 71.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

February 27, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 9, introduced by Harper, et al.

House Bill No. 100, introduced by Gill, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 19, introduced by Tracy: A resolution of the House of Representatives of the State of Montana directing the Speaker to

appoint a committee of three members to request the United States District Court for further instructions regarding reapportionment. Referred to Committee on Reapportionment.

Motion was made by Cerovski that the Speaker appoint a Conference Committee of three members to meet with a like number from the Senate on Senate Bill No. 7. Motion carried.

Watt, having voted on the prevailing side, moved that the House reconsider its action in failing to concur in Senate Bill No. 178 and that Senate Bill No. 178 be recalled from the Senate and placed on Second Reading at the bottom of the list. Motion lost.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

House Bill No. 532, introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys to the State Department of Public Welfare for old age assistance and medical assistance to the aged." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Mather of Musselshell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 3 be amended in the title by deleting the figures "81-201";

And amend by striking out Section 32 in its entirety, which is on page 13, line 4 through line 18;

And further amend by renumbering the following sections accordingly.

And as so amended, do pass.

That the committee rise and report.

MATHER, Chairman.

Report adopted.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bills Nos. 20, 56, 127, 217, Senate Joint Resolution No. 11, Senate Bills Nos. 144, 176, 61, 204, 83, 190, 55, 63, 200.

March 1, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 64, 352, 345, 284.

HARPER, Chairman.

I have examined House Bill No. 64 introduced by me and find the same to be correct.

GUNDERSON.

I have examined House Bill No. 352 introduced by me and find the same to be correct.

PIERCE.

I have examined House Bill No. 284 introduced by me and find the same to be correct.

SELSTAD.

I have examined House Bill No. 345 introduced by me and find the same to be correct.

SELSTAD.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 64, 352, 284, 345.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee on Senate Bill No. 7: Hanks, Christiansen, Lucas.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be amended as follows:

1. Delete Section 24 in its entirety and insert in lieu thereof the following:

"Section 24. There is appropriated from the general fund to the office of legislative auditor sixty-four thousand dollars (\$64,000) for the fiscal year ending June 30, 1966, and seventy-nine thousand dollars (\$79,000) for the fiscal year ending June 30, 1967."

And as amended, be concurred in.

BARDANOUE, Chairman.

Report adopted

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Joint Resolution No. 9, respectively report as follows: That Senate Joint Resolution No. 9 be concurred in.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 be amended as follows:

Amend the title on page 1, lines 3 and 4 of the original bill by deleting the words and figures "forty-five thousand dollars (\$45,000.00)" and inserting in lieu thereof the words and figures "thirty thousand dollars (\$30,000.00)".

And be further amended in Section 1, line 9, page 1 of the original bill by deleting the words and figures "forty-five thousand dollars (\$45,000.00)" and inserting in lieu thereof the following: "thirty thousand dollars (\$30,000.00)".

And as so amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do not pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 be amended as follows:

Amend Section 1, line 19, page 1 of the original bill by deleting the figures "\$20,000.00" \$20,000.00" and inserting in lieu thereof the figures "\$15,000.00" \$15,000.00".

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 do not pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 514, respectfully report as follows: That House Bill No. 514 be amended as follows:

1. Amend Section 2, in lines 17 and 18, page 1 of the original bill by deleting the words "from the general fund".

2. Further amend Section 2, in line 23 by deleting the figures "\$66,-000" and "\$100,000".

3. Further amend Section 2, between lines 23 and 24, by adding the following: "From the general fund \$20,000 \$20,000".

4. Further amend Section 2, in line 25, by deleting the figures "\$66,-000" and "\$100,000".

5. Further amend Section 2, by adding in line 26, the following: "From the unexpended general fund balance, 1963-

65 appropriation account No. 653-1	\$20,000	
From the general fund		\$20,000"

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 1, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 159, introduced by Hall, et al.

House Bill No. 199, introduced by Stranahan, et al.

House Bill No. 235, introduced by Sheehy.

House Bill No. 289, introduced by Schye, et al.

House Bill No. 314, introduced by Nutting, et al.

House Bill No. 366, introduced by Fischer, et al.

House Bill No. 470, introduced by Raundal and Jenkins.

House Bill No. 479, introduced by Bardanouve, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 1, 1965

Mr. Speaker:

The Senate this day failed to concur in House Amendments to Senate Bill No. 77, requested the President to appoint a Conference Committee of three, and requests the House appoint a similar committee. The President appointed the following Senators to the Conference Committee:

Senator Mahoney,
Senator Reardon,
Senator Beck.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Bardanouve that the following House Bills be moved to the head of the calendar on Second Reading: House Bills Nos. 522, 524, 526, 528, 529, 519, 530. Motion carried.

Motion was made by East that House Bill No. 489 be recalled from the Governor and placed on Second Reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Mather of Musselshell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 522 do pass.

That House Bill No. 524 be amended as follows:

Amend Section 3 on page 3, line 21 of the original bill, being page 3, line 34 of the printed bill, by striking the figures "\$7,500.00 \$7,500.00" and inserting in lieu thereof the figures "\$10,000.00 \$10,000.00";

Further amend Section 3 on page 12, line 2 of the original bill, being page 14, line 330 of the printed bill, by striking the figure "\$7,500.00" and inserting in lieu thereof the figure "\$10,000.00";

And further amend House Bill No. 524 on page 16, Section 4, line 6 of the original bill, being in Section 4, line 3, page 19 of the printed bill, by deleting the figure "\$4,800.00" and inserting in lieu thereof the figure "\$6,000.00";

Amend on page 3, between lines 7 and 8 of the original bill, being between lines 19 and 20, page 3, of the printed bill, adding the following sub-

paragraph: "(3) For the revolving fund, Historical Society account \$116,700.00 \$116,700.00";

Amend on page 4, line 21 of the original bill, being on page 5, lines 65 and 66 of the printed bill, delete the words "industrial insurance account" and insert in lieu thereof the words "account number 922700, industrial accident rehabilitation agency account";

Amend on page 8, lines 23 through 27 of the original bill, being on page 10, lines 213 through 217 of the printed bill, delete the material beginning with the word "for" and ending with "1967" and insert in lieu thereof the following material: "for members of the Livestock Commission shall not exceed \$900.00 for each year of the biennium. Out-of-state travel for the executive officer shall not exceed \$500.00 for each year of the biennium, except in cases of emergency or on investigations";

Amend on page 9, line 14 of the original bill, being page 11, line 242 of the printed bill, delete the figure "\$225,731.00" and insert in lieu thereof the figure "\$275,330.00";

Amend on page 9, line 18 of the original bill, being page 11, line 245 of the printed bill, delete the figure "\$61,599.00" and insert in lieu thereof the figure "\$12,000.00";

Amend on page 9, line 24 of the original bill, being page 11, line 251 of the printed bill, delete the figures "\$50,000.00 \$50,000.00" and insert in lieu thereof the figures "\$47,525.00 \$49,237.00";

Amend on page 10, line 7 of the original bill, being page 12, line 266 of the printed bill, delete the figures "\$25,000.00 \$25,000.00" and insert in lieu thereof the figures "\$90,100.00 \$90,900.00";

Amend on page 10, line 10 of the original bill, being page 12, line 270 of the printed bill, delete the figure "\$387,375.00" and insert in lieu thereof the figure "\$358,587.00";

Amend on page 10, between lines 12 and 13 of the original bill, being on page 12, between lines 273 and 274 of the printed bill, insert the following subparagraph: "(3) From unexpended balances, 1963-1965 biennium, general fund appropriation No. 51003.....\$28,788.00"; and further amend by renumbering the subsequent subsections under the Department of Agriculture appropriation accordingly.

Amend on page 10, lines 27 through 30 of the original bill, being on pages 12 and 13, lines 288 through 291 of the printed bill, delete the sentence beginning with "In" and ending with "programs." and further amend this subsection (4) of the original bill on line 1, page 11, being lines 294 and 295 of the printed bill, by deleting the words "a fiscal year" and inserting in lieu thereof the words "the biennium";

Amend on page 7, line 136 of the printed bill, being lines 8 and 9 of the amendment No. 3 on page 5 of the original bill, heretofore submitted by Committee on Appropriations, by deleting after the word "processing" the comma (,) and the words "centralized duplicating services and other consolidated services";

And further amend in line 146, by deleting the comma and inserting in lieu thereof a period and by deleting the words "central duplicating services and other consolidated services.";

Amend on page 11, line 11 of the original bill, being page 13, line 305 of the printed bill, delete the figure "\$4,675.00" and insert in lieu thereof the figure "\$12,675.00";

Amend on page 16 of the printed bill between lines 403 and 404 insert the figure "(2)" and insert the words "From the general fund to implement the provisions of Senate Bill 111, the amount of \$17,000.00";

And further amend by adding the words, "Federal funds available for the purpose of this program are hereby appropriated";

And further amend in line 404 by deleting the figure "(2)" and inserting in lieu thereof the figure "(3)";

Amend House Bill 524 in lines 4 through 8, page 16 of the original bill, being lines 1 through 5, page 19 of the printed bill by striking Section 4 in its entirety and renumbering Section 5 to read Section 4;

And as so amended, do pass.

That House Bill No. 526 be amended as follows:

Amend Section 6 by striking out in line 15, of page 3 of the original bill, being line 14, page 3 of the printed bill the figures "\$1,128,502.00" and "\$1,123,502.00" and inserting in lieu thereof the figures "\$832,502.00" and "\$827,502.00"; Further amend Section 6 by striking out in line 17 of page 3 of the original bill, being line 16, page 3 of the printed bill the figures "\$3,022,498.00" and "\$3,096,298.00" and inserting in lieu thereof the figures "\$3,001,098.00" and "\$3,074,488.00";

Further amend Section 6 by striking out in line 18 of page 4 of the original bill, being line 50, page 5 of the printed bill the figures "\$55,120.00" and "\$53,420.00" and inserting in lieu thereof the figures "\$19,610.00" and "\$17,640.00";

Further amend Section 6 by striking out in line 9 of page 7 of the original bill, being line 141, page 8 of the printed bill the figures "\$211,010.00" and "\$228,125.00" and inserting in lieu thereof the figures "\$191,010.00" and "\$198,125.00";

Further amend Section 6 by deleting on page 6 of the original bill in lines 13, 14, 15 and 16, being page 7, lines 116, 117, 118 and 119 of the printed bill, everything after "warden.";

Further amend Section 6 on page 7 of the original bill after line 5 and before line 6, being page 8 of the printed bill after line 138 and before line 139, the following: "(6) From unexpended balance 1963-65 biennium in prison general fund appropriation for operation and capital, for personal services \$10,000.00 \$10,000.00";

And as so amended, do pass.

That House Bill No. 528 be amended as follows:

Amend the title on line 10, page 1 of the original bill, being line 10, page 1 of the printed bill, after the word "counties", by striking the period "." and quotation marks and inserting in lieu thereof a semicolon ";" and the following words and punctuation "and providing for appropriations for payments to school districts for children of a state employee residing on the property of a state institution who attend school in the district, for the fiscal years ending June 30, 1966, and June 30, 1967."

Amend on page 3, after line 1 of the original bill, being page 3 after line 10 of the printed bill, by adding a new Section 5 to read as follows:

"Section 5. In addition to the foregoing appropriations, moneys from the earmarked revenue fund, state equalization aid account number 221700, are hereby appropriated for payments to school districts in accordance with the provisions of "An Act Providing for Payments by the State to School Districts If Children of a State Employee Who Resides on the Property of a State Institution Attend School in the District.

(1) For the fiscal year ending June 30, 1966, as much as may be necessary to fulfill the legal obligations of the act;

(2) For the fiscal year ending June 30, 1967, as much as may be necessary to fulfill the legal obligations of this act.";

Further amend page 3, line 2 of the original bill, being page 3, line 1 of the printed bill, after the word "Section" by striking the number "5" and inserting in lieu thereof the figure "6";

And as so amended, do pass.

That House Bill No. 525 be amended as follows:

Amend Section 3 on page 9, line 4 of the original bill, being page 9, line 203 of the printed bill by deleting the figure "52703";

Further amend Section 3 on page 4, lines 6, 7 and 8 of the original bill, being page 4, lines 56, 57 and 58 of the printed bill by deleting the following "From unexpended balance 1963-65 biennium in general fund appropriation 68603" and inserting in lieu thereof "from the general fund";

Amend Section 2 between lines 8 and 9 of page 2 of the original bill, being line 12, page 2 of the printed bill, by adding the words "No money from the appropriations contained in this Act shall be used for central data processing or other consolidated services performed by the Department of Administration, except at the discretion of the official involved.";

And as so amended, do pass.

That House Bill No. 529 be amended as follows:

Amend Section 3, page 14, by inserting the following words after the word "biennium." on line 12 of the original bill, being line 420 on page 17 of the printed bill: "Revenues accruing to these funds in excess of these estimates may be made available by an approved budget amendment.";

Further amend Section 3, page 7 of the original bill by striking out in lines 27, 28 and 29 which is Amendment No. 3, being lines 190, 191 and 192 on page 9 of the printed bill the following words "Revenues accruing to this account in excess of these estimates are hereby appropriated." and inserting in lieu thereof the words "(3) From the federal and private grant clearance fund, library development account";

Further amend Section 3, page 7 of the original bill by inserting on the line following the word "account" on line 29 the following words "Revenues accruing to this account in excess of these estimates are hereby appropriated.";

Further amend Section 3, page 11, line 251 of the printed bill before the word "Travel" by adding the word "Administrative", being line 20, page 9 of the original bill;

Amend Section 4 by striking out Section 4 in its entirety and renumbering Section 5 to read Section 4;

And as so amended, do pass.

That House Bill No. 519 do pass.

That House Bill No. 530 do pass.

That the committee rise and report.

MATHER, Chairman.

Report adopted.

March 1, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 3.

HARPER, Chairman.

March 1, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 231, 321, 235, 238, 71, 429, 470, 366, and 289.

HARPER, Chairman.

March 1, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 159, 479, 314, 383, and House Substitute for House Bill No. 19.

HARPER, Chairman.

I have examined House Bill No. 159 introduced by me and find the same to be correct.

HALL.

I have examined House Substitute for House Bill No. 19 introduced by me and find the same to be correct.

JUDGE.

I have examined House Bill No. 383 introduced by me and find the same to be correct.

GILFEATHER.

I have examined House Bill No. 314 introduced by me and find the same to be correct.

NUTTING.

I have examined House Bill No. 289 introduced by me and find the same to be correct.

SCHYE.

I have examined House Bill No. 366 introduced by me and find the same to be correct.

FISCHER.

I have examined House Bill No. 470 introduced by me and find the same to be correct.

RAUNDAL.

I have examined House Bill No. 429 introduced by me and find the same to be correct.

McDONALD.

I have examined House Bill No. 71 introduced by me and find the same to be correct.

TWEDT.

I have examined House Bill No. 238 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 235 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 231 introduced by me and find the same to be correct.

LEUTHOLD.

I have examined House Bill No. 321 introduced by me and find the same to be correct.

WAYRYNEN.

I have examined House Bill No. 479 introduced by me and find the same to be correct.

BARDANOUVE.

The Speaker signed the following bills in open session, the titles having first been read: House Bill No. 159, House Substitute for House Bill No. 19, House Bills Nos. 383, 479, 314, 289, 366, 470, 429, 238, 235, 231, 321.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture and Irrigation, having had under consideration House Resolution No. 10, respectfully report as follows: That House Resolution No. 10 do not pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 be amended as follows:

Amend Section 3, line 23 of page 1 of the original bill by deleting the word "seven" and inserting in lieu thereof the word "four".

Amend Section 5 in line 30, page 1 of the original bill by deleting the word "six" and inserting the word "five".

Amend Section 16, lines 3 and 4 of page 6 of the original bill by deleting the words and figures "one million four hundred thousand dollars (\$1,400,000.00)" and inserting in lieu thereof the words and figures "three hundred thousand dollars (\$300,000.00)".

Amend Section 4 in line 26 on page 1 of the original bill by deleting the word "six" and inserting in lieu thereof the word "three".

And as so amended, do pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 532, respectfully report as follows: That House Bill No. 532 do pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture and Irrigation recommend that House Resolution No. 11 be deleted in its entirety: and that the following Substitute House Resolution No. 11 be inserted in lieu thereof: That Substitute House Resolution No. 11 be amended as follows:

SUBSTITUTE HOUSE RESOLUTION NO. 11

INTRODUCED BY AGRICULTURE AND IRRIGATION COMMITTEE.

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING CONGRESSIONAL ACTION TO HELP REDUCE TRANSPORTATION COSTS THROUGH ENCOURAGEMENT OF COMPETITION AND REQUESTING RAILROAD CARRIERS TO ESTABLISH REDUCED RATES.

WHEREAS, Domestic and foreign markets for Montana's grain products are of utmost importance to the state's income and economy, and

WHEREAS, rapidly changing conditions in food and livestock feed industries make consequent changing conditions in the market requirements for grain and grain products at home and abroad, and

WHEREAS, Montana should continue to seek new methods of improving its access to and development of as broad a marketing outlet as possible for these profitable products of Montana enterprise, and

WHEREAS, a concern of Montana farmers is the cost of transportation of farm products, and

WHEREAS, railroad rates under existing regulations, do not encourage movement of wheat in export channels, and

WHEREAS, a rate is needed for Montana which will allow free movement of wheat and thus enable Montana to compete with other wheat producing areas, and

WHEREAS, under the 1964 wheat law, the acreage of wheat in short supply can be increased, which would make a reduced freight rate and free movement of wheat even more desirable, because it would tend to encourage expanded production of our high quality wheat by depletion of present stocks of such wheat, and

WHEREAS, grain producing and marketing organizations in Montana, cooperating with other states, and the Montana Board of Railroad Commissioners have made requests to reduce or to maintain reduced rates to foster Montana's competitive position in domestic and export marketing, and

WHEREAS, transportation of grain and other farm products to market should be performed at the lowest possible cost as determined by competition among transportation modes for maximum service and minimum cost to shippers, and

WHEREAS, Columbia river barge lines, which receive trucked Montana grain en route to Pacific coast ports, have energetically sought to force increased Montana railroad rates on west bound grain at great expense to grain shippers and continually seek to do so, and

WHEREAS, federal and state regulations and laws tend to prevent active competition among transportation modes hauling agricultural products to the detriment of progress and innovation in both service and rates.

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Congress be strongly urged to adopt changes in basic transportation law as urged by the late President John F. Kenney and President Lyndon B. Johnson to the end that competition for service and rate-making in the hauling of agricultural products be increased rather than diminished.

BE IT FURTHER RESOLVED, that it be the policy of the State of Montana to discourage any and all attempts to hamper by law or regulation the flexibility and efficiency of railroad rate-making, but rather to encourage these qualities in all types of transportation serving agriculture.

BE IT FURTHER RESOLVED, that the railroads serving Montana be urgently requested to take immediate and continuing steps to adjust rates competitively in accordance with this Resolution.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Honorable Lyndon B. Johnson, President of the United States, the Honorable Michael J. Mansfield and Lee Metcalf, and the Honorable Arnold H. Olsen and James F. Battin, Senators and Representatives from the State of Montana, to the Honorable Warren C. Magnuson and the Honorable Oren Harris, Chairman respectively of the Senate and House Commerce Committees, to the Interstate Commerce Commission, to the Montana Railroad and Public Service Commission and to the presidents of the Great

Northern Railway, Northern Pacific Railway, Chicago, Milwaukee, St. Paul and Pacific Railroad, Union Pacific Railroad, Chicago, Burlington and Quincy Railroad and the Soo Line Railroad.

And as so amended, do pass.

HANKS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration subcommittee report on Montana High School Association, respectfully report as follows: That the subcommittee report on Montana High School Association be adopted.

SUBCOMMITTEE REPORT ON MONTANA HIGH SCHOOL ASSOCIATION

Mr. Magnus Aasheim, Chairman
Education Committee

Dear Mr. Aasheim:

Since this committee of three members has been appointed to study the various function of the Montana High School Association and report to the 39th Legislative Assembly, we hereby submit some of our findings and recommendations.

The committee held several meetings, but time prevented the committee from thoroughly exploring all the function of the Montana High School Association. We feel the Montana High School Association is due for some type of reapportionment. In 1943, member schools changed the name of the organization in order that it could supervise nonathletic activities on a state level just as athletics were supervised. Since the revenue received by the association comes mainly from the athletics, we feel the extracurricular student activities, such as speech and drama, music, and science fairs are not receiving the proper recognition.

Personalities are very much involved, but we feel this is not for us to make a decision or recommendation.

The Montana High School Association is supposedly a non-political organization, but it has been called to the attention of some of the members of the committee that the executive secretary was actively engaged in campaigning during the last primary and general election. Any political activities of the executive secretary should not be carried on in such a manner as to involve the Montana High School Association. This is contrary to the policy of the Montana High School Association.

It was also found that local school boards and Montana High School Association rules seem to conflict with each other. A clearer interpretation of these rules should be sought, and a closer relation between the school trustees and the board of directors. Under Article IX, Protests, if a protest for violation of the Constitution, By-Laws, or rules of the association is made the said protest must be accompanied by a filing fee of \$5.00. The committee feels this is an unnecessary fee.

Another criticism was that any activity must be recognized and sanctioned by the Montana High School Association, namely, speech and drama, music, science fairs, and athletics. It was also stated the association was more concerned with regulatory discipline and not so concerned with the educational involvements.

Another situation that should be resolved is where ninth grade students in accredited junior high schools, administered as separate units apart from senior high schools, are not eligible to participate in non-athletic activities on the senior high school level. This applies to music, speech, debate, science fairs, journalism conference and activities. On the other hand where the

accredited ninth grade is a part of the accredited senior high school they are eligible to participate.

There are other things under the music activities that probably should not be under the Montana High School Association.

There is a feeling that there is too much restriction for out-of-state trips for musical organizations during the regular school term.

Finances: The Montana High School Association has a very healthy financial statement along with an agency account, consisting of stocks and bonds in the amount of \$44,057.35 as of January 18, 1965. In addition, there is a checking account and a savings account having a total of about \$30,000.00.

There has been much criticism to the large investment of the Montana High School Association. Some feel the participants should receive more from the profit of the tournaments and not so much kept in the reserve account. If they have to have more funds, assess the members.

It was brought out that the association does plan to give the participants more of the profits next July 1965. The committee questions having so much of its assets in stocks.

The M. H. S. A. feels they need such a large reserve so as to have on hand for a rainy day one year's operating budget. It was brought out that mileage payments for the Montana High School Association are to be raised to 10 cents while state employees and those on state business receive only 8 cents per mile.

The committee feels that it is not within their jurisdiction as to the legal status of the Montana High School Association, and will neither criticize nor suggest any action on this question.

Recommendations:

That closer relations between the Montana High School Association and the Montana school boards be established.

That trustees as well as administrators be acceptable as Montana High School Association representatives.

That reapportionment should be considered since there seems to have been no change in the organization since 1943, when the name was changed so it could supervise non-athletic activities as well as with athletic activities.

That some type of an advisory board be formed to help and advise the Montana High School Association.

That a limit be placed on the reserve funds of the Montana High School Association.

We further recommend that the state Superintendent of Public Instruction be requested to appoint a committee not to exceed eleven (11) members to make a complete study of school-connected extracurricular activities and that this committee report its findings and recommendations to the 40th Legislative Assembly on or before January 1, 1967. That for the purpose of this study, the committee should include a representative or representatives of the Montana Association of School Administration, the Montana School Board Association, and individuals representing athletic activities, dramatic activities, music activities and such other individuals as the State Superintendent of Public Instruction may deem necessary.

That to provide for the expenses of the members of the committee appointed by the State Superintendent of Public Instruction for at least four

official meetings, the appropriations committee be requested to appropriate two thousand dollars (\$2,000.00) for this purpose.

Respectfully submitted February 23, 1965.

Subcommittee: Jack R. McNamara /s/
Jack R. McNamara, Chairman,
Steve J. Shugrue /s/
Steven J. Shugrue,
Jack D. Rehberg /s/
Jack D. Rehberg.

AASHEIM, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Sheehy, having voted on the prevailing side, moved that the House reconsider its action in adopting a favorable Committee of the Whole report on House Bill No. 3 this morning and asked that a roll call vote be taken with the ayes and nays spread on the Journal. Sufficient seconds arose, and the motion carried by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Boughton, Casey, Cerovski, Cregg, Deschamps, Egan, Eklund, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gilligan, Hall, Hanks, Harper, Healy, Holtz, Jensen, Judge, Lombardi, Lucas, Mather, McNamara, Meccage, Nelson, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Sullivan, Tooke, Tracy, Twedt, Watt, Williams, Zimmer. Total 50.

Noes: Bailey, Bardanouve, Bollinger, Broeder, Christiansen, Crum, East, Eskildsen, Felt, James, Jenkins, Johnson, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, McDonald, McNamer, McOmber, Nichols, Nutting, Rehberg, Selstad, Spilde, Stranahan, Swanz, Ulmer, Woodard, Mr. Speaker. Total 31.

Absent or not voting: Bashor, Brenner, Cummings, Dye, Nefzger, Pierce, Rygg, Smith, Willits. Total 9.

Excused: Delano, Gill, Gunderson, Haines. Total 4.

Motion was made by Sheehy that House Bill No. 3 be placed on Second Reading tomorrow. Motion carried.

Motion was made by East to withdraw his earlier motion to recall House Bill No. 489 from the Governor. Motion carried.

Harper, having voted on the prevailing side, moved that the House reconsider its action in defeating Senate Bill No. 43 in the Committee of the Whole on Saturday. Motion carried.

Motion was made by Harper that Senate Bill No. 43 be placed on Second Reading tomorrow. Motion carried.

Motion was made by Cerovski that the House adjourn until 9:00 a. m., Tuesday morning, March 2, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

FIFTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 2, 1965

House convened, pursuant to adjournment, at 9:00 a. m.

Mr. Speaker in the Chair. Invocation by Representative Stranahan.

On roll call all members were present except Dye, Haines, Willits, excused, Cummings and Garrison.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-seventh Legislative Day, find the same to be correct.

ESKILDSSEN, Vice-Chairman.

Report adopted.

March 2, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 519, 522, 524, 525, 526, 528, 529 and 530.

HARPER, Chairman.

Motion was made by Cerovski that the House pass on to Order of Business No. 9. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 522 was passed by the following vote:

Ayes: Aasheim, Atkins, Bardanoue, Bashor, Bollinger, Boughton, Brenner, Broeder, Cerovski, Christiansen, Crum, Delano, East, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gerke, Gilfeather, Gilligan, Gunderson, Hall Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: Casey, Cregg, Deschamps, Selstad. Total 4.

Absent or not voting: Asbjornson, Bailey, Cummings, Egan, Fischer, Garrison, Gill, Hanks, Nichols, Raundal, Spilde. Total 11.

Excused: Dye, Haines, Willits. Total 3.

House Bill No. 524 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanoue, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith,

Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 86.

Noes: Bashor, Deschamps. Total 2.

Absent or not voting: Cummings, Garrison, Hanks. Total 3.

Excused: Dye, Haines, Willits. Total 3.

House Bill No. 526 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 86.

Noes: Boughton. Total 1.

Absent or not voting: Cummings, Garrison, Hanks, Zimmer. Total 4.

Excused: Dye, Haines, Willits. Total 3.

House Bill No. 528 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 85.

Noes: Boughton, East. Total 2.

Absent or not voting: Christiansen, Cummings, Garrison, Zimmer. Total 4.

Excused: Dye, Haines, Willits. Total 3.

House Bill No. 525 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 74.

Noes: Boughton, Broeder, Cregg, Deschamps, East, Felt, Gilfeather, James, Johnson, Lucas, Nutting, Selstad, Smiley, Smith, Swanz. Total 15.

Absent or not voting: Garrison, Sheehy. Total 2.

Excused: Dye, Haines, Willits. Total 3.

House Bill No. 519 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Boughton, Broeder, Smiley, Smith. Total 4.

Absent or not voting: Garrison, Nefzger. Total 2.

Excused: Dye, Haines, Willits. Total 3.

House Bill No. 529 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Bashor, Garrison. Total 2.

Excused: Dye, Haines, Willits. Total 3.

House Bill No. 530 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: Boughton, Smith. Total 2.

Absent or not voting: Garrison, Sheehy. Total 2.

Excused: Dye, Haines, Willits. Total 3.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

MESSAGE FROM THE GOVERNOR

March 1, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

- House Bill No. 60—Introduced by Zimmer, Shugrue, James, Schepens
House Bill No. 73—Introduced by Jensen, Mather, Schepens, et al
House Bill No. 76—Introduced by Deschamps, Hanks, Watt, Flynn, et al
House Bill No. 82—Introduced by Laas and Broeder
House Bill No. 130—Introduced by Bollinger, Schepens, Cummings, et al
House Bill No. 185—Introduced by McNamer and Sheehy
House Bill No. 186—Introduced by McNamer and Sheehy
House Bill No. 212—Introduced by Felt, Christiansen, Schye
House Bill No. 213—Introduced by Bailey, Pierce, McDonald
House Bill No. 227—Introduced by Rehberg, Lund, Pierce, Gerke, et al
House Bill No. 270—Introduced by Felt—by request
House Bill No. 273—Introduced by McNamer and Sheehy
House Bill No. 305—Introduced by Judge—by request
House Bill No. 363—Introduced by Hall
House Bill No. 417—Introduced by Sheehy
House Bill No. 437—Introduced by McNamer and Mather
House Bill No. 452—Introduced by Stranahan, Meccage, Selstad
House Joint Resolution No. 6—Introduced by Boughton, Lucas, Tooke, et al
House Joint Resolution No. 9—Introduced by Nichols, Bardanouve, et al
House Joint Resolution No. 16—Introduced by Broeder
House Joint Resolution No. 21—Introduced by McNamer, Sheehy, Gilfeather
House Joint Resolution No. 22—Introduced by Jensen, Smiley, Loman, Dye
House Joint Resolution No. 25—Introduced by Judge and Lewis
House Joint Resolution No. 28—Introduced by Willits, Zimmer, Egan, et al

Sincerely yours,

TIM BABCOCK, Governor

MESSAGE FROM THE SENATE

March 1, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following bills were this day recommended for indefinite postponement by Senate Committee of the Whole, report adopted, and the same are herewith returned to the House.

House Bill No. 430, introduced by Mather and Gilligan

House Bill No. 347, introduced by Hanks and Leuthold

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Felt that the House request the return of House Bill No. 385 from the Governor. Motion carried.

Motion was made by McNamer that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 be amended as follows:

Amend Section 10 on page 6, line 2 by inserting before the word "Employment", the following sentence: "In all appointments and other personnel actions, preference shall be given to veterans according to Montana law."

Amend Section 33, line 7, page 21 of the original bill by deleting the words "This act is effective on its passage and approval" and inserting in lieu thereof the following: This act shall become effective July 1, 1967."

And as amended, do not pass.

BARDANOUE, Chairman.

Motion was made by Bardanouve that the report be adopted.

Substitute motion was made by McNamer that House Bill No. 78 be printed and placed on Second Reading, that a roll call vote be taken, with the results thereof spread on the Journal. Sufficient seconds arose, and the substitute motion was lost by the following vote:

Ayes: Asbjornson, Boughton, Casey, Crum, Delano, Deschamps, East, Egan, Falkenstern, Felt, James, Jenkins, Leuthold, Loman, Lucas, Lund, Mather, McNamer, Pierce, Rehberg, Schye, Selstad, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 28.

Noes: Aasheim, Atkins, Bailey, Bollinger, Brenner, Broeder, Cerovski, Christiansen, Cregg, Cummings, Eklund, Eskildsen, Flynn, Garrison, Gerke, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Lewis, Lombardi, MacCalman, McDonald, McNamara, Meece, Neffzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smith, Stranahan, Sullivan, Tracy, Twedt, Watt. Total 53.

Absent or not voting: Bardanouve, Bashor, Fischer, Gilfeather, Hanks, McOmber, Nichols, Smiley, Zimmer, Mr. Speaker. Total 10.

Excused: Dye, Haines, Willits. Total 3.

Report adopted.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 20, introduced by Deschamps:

WHEREAS, both tenants and owners of dwellings frequently become engaged in disputes over their respective rights involving home tenancy and tenure;

WHEREAS, both county officials and private attorneys have reported dissatisfaction of their tenant and owner clients as to the adequacy of statutes covering varied home tenant and owner problems.

THEREFORE, BE IT RESOLVED that this 39th Legislative Assembly request the Montana Legislative Council to explore and research statutes utilized in other states, compare them with the adequacy of Montana statutes on the subject, and prepare proposed legislation along the lines of a "Montana Fair Housing Act" for consideration of interested legislators with a view to determining whether such proposal should be introduced in the 40th Legislative Assembly.

Referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Christiansen of Big Horn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Bill No. 384 be concurred in.

That Senate Amendments to House Bill No. 56 be concurred in.

That Senate Amendments to House Bill No. 243 be concurred in.

That Senate Amendments to House Bill No. 469 be concurred in.

That Senate Amendments to House Bill No. 397 be concurred in.

That Senate Amendments to House Bill No. 427 be concurred in.

That Senate Amendments to House Bill No. 37 be concurred in.

That Senate amendments to House Bill No. 407 be not concurred in, but that a committee of three be appointed by the Speaker to confer with a like committee from the Senate.

That Senate Amendments to House Bill No. 405 be concurred in.

That Senate Amendments to House Bill No. 386 be concurred in.

That the Committee rise and report and beg leave to sit again.

CHRISTIANSSEN, Chairman.

Report adopted.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 384 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano,

Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Leuthold, Lewis, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 74.

Noes: Cregg, Johnson, Lund, Shugrue, Tracy. Total 5.

Absent or not voting: Bollinger, Boughton, Jenkins, Laas, Loman, Nichols, Obstarczyk, Raundal, Rehberg, Schye, Twedt. Total 11.

Excused: Dye, Gilligan, Haines, Willits. Total 4.

Senate Amendments to House Bill No. 56 were concurred in by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Mr. Speaker. Total 51.

Noes: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, East, Falkenstern, Felt, Garrison, James, Jensen, Leuthold, Lucas, Lund, Mather, McNamer, Nichols, Nutting, Pierce, Rygg, Scherf, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Williams, Woodard, Zimmer. Total 31.

Paired: Gilligan, yes; Ulmer, no.

Absent or not voting: Bashor, Jenkins, Laas, Loman, Obstarczyk, Rehberg, Schye. Total 7.

Excused: Dye, Haines, Willits. Total 3.

Senate Amendments to House Bill No. 243 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smiley, Smith, Swanz, Tooke, Tracy, Twedt, Watt, Woodard, Zimmer, Mr. Speaker. Total 72.

Noes: Aasheim, Boughton, Falkenstern, Felt, Selstad, Spilde, Stranahan, Sullivan, Ulmer, Williams. Total 10.

Absent or not voting: Bashor, Cregg, Jenkins, Laas, Loman, Obstarczyk, Rehberg, Schye. Total 8.

Excused: Dye, Gilligan, Haines, Willits. Total 4.

Senate Amendments to House Bill No. 469 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen,

Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Felt, Lucas, Ulmer. Total 3.

Absent or not voting: Cregg, Jenkins, Laas, Loman, Obstarczyk, Rehberg, Schye. Total 7.

Excused: Dye, Gilligan, Haines, Willits. Total 4.

Senate Amendments to House Bill No. 397 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Lewis, Lombardi, Lucas, MacCalman, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Zimmer, Mr. Speaker. Total 67.

Noes: Boughton, Felt, Garrison, James, Leuthold, Lund, Mather, Nutting, Selstad, Smith, Spilde, Ulmer, Williams, Woodard. Total 14.

Absent or not voting: Cregg, Hall, Jenkins, Laas, Loman, Nichols, Obstarczyk, Rehberg, Schye. Total 9.

Excused: Dye, Gilligan, Haines, Willits. Total 4.

Senate Amendments to House Bill No. 427 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: Boughton, Broeder, Felt, Garrison, Lucas, Smith, Ulmer, Williams. Total 8.

Absent or not voting: Cregg, Jenkins, Laas, Loman, Obstarczyk, Schye. Total 6.

Excused: Dye, Haines, Gilligan, Willits. Total 4.

Senate Amendments to House Bill No. 37 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen,

Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Gilfeather, McDonald. Total 2.

Absent or not voting: Cregg, Jenkins, Laas, Loman, McNamer, Obstarczyk. Total 6.

Excused: Dye, Gilligan, Haines, Willits. Total 4.

Senate Amendments to House Bill No. 405 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: East, Egan, Swanz. Total 3.

Absent or not voting: Bashor, Cregg, Jenkins, Laas, Loman, Obstarczyk. Total 6.

Excused: Dye, Gilligan, Haines, Willits. Total 4.

Senate Amendments to House Bill No. 386 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Garrison, Gerke, Gilfeather, Gill, Hall, Hanks, Harper, Healy, James, Judge, Leuthold, Lewis, Lombardi, Lucas, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 70.

Noes: Aasheim, Boughton, Broeder, Fischer, Flynn, Gunderson, Holtz, Jensen, Johnson, Lund, MacCalman, Rygg, Selstad, Stranahan, Twedt. Total 15.

Absent or not voting: Cregg, Jenkins, Laas, Loman, Obstarczyk. Total 5.

Excused: Dye, Gilligan, Haines, Willits. Total 4.

Motion was made by Cerovski that the House revert to Order of Business No. 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Christiansen of Big Horn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Bill No. 236 be concurred in.

That Senate Amendments to House Bill No. 173 be concurred in.

That Senate Amendments to House Bill No. 121 be concurred in.

That Senate Amendments to House Bill No. 91 be concurred in.

That Senate Amendments to House Bill No. 147 be concurred in.

That Senate Amendments to House Bill No. 189 be concurred in.

That Senate Amendments to House Bill No. 230 be concurred in.

That Senate Amendments to House Bill No. 256 be concurred in.

That Senate Amendments to House Bill No. 280 be not concurred in but that a Conference Committee of three be appointed to meet with a like committee from the Senate.

That Senate Amendments to House Bill No. 283 be concurred in.

That Senate Amendments to House Bill No. 290 be concurred in.

That Senate Amendments to House Bill No. 311 be concurred in.

That Senate Amendments to House Bill No. 317 be concurred in.

That Senate Amendments to House Bill No. 324 be concurred in.

That Senate Amendments to House Bill No. 333 be concurred in.

That Senate Amendments to House Bill No. 402 be concurred in.

That Senate Amendments to House Bill No. 477 be concurred in.

That Senate Substitute to House Bill No. 495 be concurred in.

That Senate Amendments to House Bill No. 517 be not concurred in, but that a Conference Committee of three be appointed to meet with a like committee from the Senate.

That Senate Amendments to House Joint Resolution No. 26 be concurred in.

That the Committee rise and report.

CHRISTIENSEN, Chairman.

Report adopted.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bills Nos. 100, 155, 112, 86, 34, 180, and 156.

Motion was made by Cerovski that the House pass on to Order of Business No. 12. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following conference committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 407: Tracy, Atkins, Nelson.

The Speaker appointed the following conference committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 280: Judge, Shugrue, Jensen.

March 2, 1965

Mr. Speaker: We, your Committee, on Bills, to whom was referred House Bills Nos. 208 and 514 beg leave to report that the same have this date been returned from the printer, correctly printed.

SCHERF, Vice-Chairman.

March 2, 1965

Hon. Walter Marshall
Chief Clerk of the House
Capitol
Helena, Montana

Dear Mr. Marshall:

I will very much appreciate it if you will remind all members and attaches of the House, that all items in their possession on loan from this office must be returned before adjournment. These items are state property and there will be use for them again when the next Session convenes.

Sincerely yours,

FRANK MURRAY,
Secretary of State.

Motion was made by Cerovski that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate to study Senate Amendments to House Bill No. 517: Bashor, Chairman, Eskildsen, Crum.

March 2, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 321, 433, 352, 64, 284, 289, 366, 470, 429, 71, 238, 235 and 231, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 12:33 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

March 2, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 159, 383, 479, 314, 374, 153, 345 and House Substitute for House Bill No. 19, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 12:33 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

March 2, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 199.

HARPER, Chairman.

I have examined House Bill No. 199 introduced by me and find the same to be correct.

STRANAHAN.

The Speaker signed the following House Bill in open session, the title having first been read: House Bill No. 199.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 32, respectfully report as follows: That Senate Bill No. 32 be not concurred in.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 177, respectfully report as follows: That Senate Bill No. 177 be not concurred in.

SHEEHY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

March 2, 1965 at 12:23 p. m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 321, 433, 64, 352, 284, 289, 366, 470, 429, 71, 238, 235, 231, 159, 19, (Sub) 383, 479, 314, 374, 153, and 345.

TIM BABCOCK, Governor,

By Jeanie Morris.

March 2, 1965

Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana
The President of the Senate
39th Legislative Assembly
State Capitol
Helena, Montana

Gentlemen:

In reply to the Chief Clerk, Walter Marshall's letter of March 2, 1965, I am returning herewith House Bill No. 385 for further consideration.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

March 2, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 92, introduced by Aasheim, et al

House Bill No. 354, introduced by Eskildsen, et al

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 2, 1965

Mr. Speaker:

The Senate this day, failed to concur in House Amendments to Senate Bills Nos. 104, 105, 106, and 168, requested the President to appoint a Conference Committee of three and requests the House to appoint a similar Committee. The President named the following Senators to confer on House Amendments to Senate Bills 104, 105 and 106:

Senator McGowan.
Senator Siderius.
Senator Gerard.

The President named the following Senators to confer on House Amendments to Senate Bill No. 168:

Senator Cotton.
Senator Bovey.
Senator Thomas.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 2, 1965

Mr. Speaker:

In compliance with your request, the Senate herewith returns, Senate Bill No. 43 by Hibbard and Cumming, for your further consideration.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 2, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 122, introduced by Brownfield and Cumming.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 2, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills failed to be concurred in on third reading this day and are herewith returned to the House:

House Bill No. 170, introduced by Delano, et al.

House Bill No. 316, introduced by Schepens and Sheehy.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Lucas that House Bill No. 385 be placed on Second Reading. Motion carried.

Motion was made by Gilfeather that the Special Committee on the Board of Equalization and County Commissioners have until tomorrow to present their report. Motion carried.

Motion was made by McDonald that House Bill No. 102 be brought out of the Appropriations Committee and placed on Second Reading. Motion carried. Cummings moved that a roll call vote be taken, with the results thereof spread on the Journal. Sufficient seconds arose, and the motion by McDonald was carried by the following vote:

Ayes: Aasheim, Atkins, Bailey, Broeder, Casey, Christiansen, Cregg, Cummings, Delano, Deschamps, Eklund, Felt, Flynn, Gerke, Gill, Gunderson, Hall, Healy, Holtz, James, Judge, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Tooke, Tracy, Watt, Williams, Willits, Woodard. Total 56.

Noes: Asbjornson, Bardanouve, Bollinger, Cerovski, East, Egan, Falkenstern, Garrison, Gilfeather, Jenkins, Jensen, Johnson, Laas, Lewis, Lombardi, McOmber, Nelson, Raundal, Schye, Selstad, Smith, Swanz, Twedt, Ulmer. Total 24.

Absent or not voting: Bashor, Boughton, Brenner, Crum, Eskildsen, Fischer, Haines, Hanks, Harper, Smiley, Zimmer, Mr. Speaker. Total 12.

Excused: Dye, Gilligan. Total 2.

Motion was made by Judge that House Bill No. 131 be taken from the Committee on Appropriations and placed on Second Reading, with a roll call vote and the results thereof spread on the Journal. Sufficient seconds arose, and the motion was lost by the following vote:

Ayes: Atkins, Broeder, Casey, Cregg, Cummings, Delano, Eklund, Gill, Gunderson, Haines, Harper, Healy, Holtz, Jensen, Johnson, Judge, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Obstarczyk, O'Hair, O'Leary, Pierce, Rehberg, Rygg, Shugrue, Slaby, Sullivan, Tracy, Ulmer, Willits, Woodard. Total 37.

Noes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Cerovski, Christiansen, Crum, Deschamps, East, Egan, Eskildsen, Falkenstern, Flynn, Garrison, Gerke, Gilfeather, Hanks, James, Jenkins, Laas, Leuthold, Lewis, Lombardi, McNamer, McOmber, Nelson, Nichols, Nutting, Prevost, Raundal, Sartz, Scherf, Schye, Selstad, Sheehy, Smiley, Smith, Stranahan, Swanz, Tooke, Twedt, Watt, Williams, Zimmer. Total 46.

Absent or not voting: Boughton, Brenner, Felt, Fischer, Hall, Nefzger, Schepens, Spilde, Mr. Speaker. Total 9.

Excused: Dye, Gilligan. Total 2.

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 21, introduced by Zimmer, Scherf, Broeder, Rygg: A Resolution of the House of Representatives of the State of Montana asking that the Federal Government locate a regional medical center in Montana if Congress authorizes such centers. Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 22, introduced by Prevost, Schepens, Eklund, Sartz, O'Hair, Meccage, Christiansen, Cummings, Holtz, Nefzger, Cerovski, Mather, Lucas, Twedt, Ulmer, Eskildsen: A Resolution of the House of Representatives of the State of Montana expressing the opinion that freight rates on grain to Pacific coast ports should be reduced, but that if rates from Dakota points to Pacific coast ports are adjusted, rates from intermediate points in Montana should be adjusted so that Montana farmers

and grain shippers are not discriminated against and rates to North Pacific coast ports show the same progressive decrease as distance declines as do rates to marketing points in the East. Referred to Committee on State Administration.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committee:

House Bill No. 533, introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys for certain agencies and institutions of state government." Referred to Committee on Appropriations.

Senate Bill No. 122, introduced by Brownfield, Cumming: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to the Montana Constitution relating to the apportionment of the Legislative Assembly; amending Sections 2 and 3, Article VI; and repealing Sections 4 and 45, Article V, and Sections 4, 5 and 6, Article VI." Referred to Committee on Reapportionment.

Motion was made by Cerovski that the House be on Order of Business No. 9. Motion carried.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 236 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Williams. Total 1.

Absent or not voting: Boughton, Brenner, Gerke, Gilfeather, Lewis, Loman, Lombardi, Nichols, Pierce. Total 9.

Excused: Dye, Felt, Gilligan. Total 3.

Senate Amendments to House Bill No. 173 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bardanouve, Bashor, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gill, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Tooke, Tracy, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 67.

Noes: Aasheim, Bailey, Bollinger, Garrison, Gunderson, Haines, Harper, Jenkins, Loman, Mather, McDonald, O'Hair, Selstad, Stranahan, Twedt, Williams. Total 16.

Absent or not voting: Boughton, Brenner, Gilfeather, McNamara, McNamer, Nichols, Smith, Swanz. Total 8.

Excused: Dye, Felt, Gilligan. Total 3.

Senate Amendments to House Bill No. 121 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bollinger, Broeder, Casey, Cеровski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Flynn, Garrison, Gerke, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: Atkins, Bardanouve, Bashor, Fischer, James, Mather, Scherf, Tracy, Ulmer. Total 9.

Absent or not voting: Boughton, Brenner, Gilfeather, Jenkins, McNamer, Nichols. Total 6.

Excused: Dye, Felt, Gilligan. Total 3.

Senate Amendments to House Bill No. 91 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Broeder, Casey, Cеровski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: Garrison, Smith. Total 2.

Absent or not voting: Bashor, Boughton, Brenner, Jenkins, McNamer, Nichols. Total 6.

Excused: Dye, Felt, Gilligan. Total 3.

Senate Amendments to House Bill No. 147 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Broeder, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 75.

Noes: Casey, Cerovski, Garrison, Jensen, Lombardi, Scherf, Shugrue, Smith, Spilde, Woodard. Total 10.

Absent or not voting: Boughton, Brenner, Jenkins, Lewis, McNamer, Nichols. Total 6.

Excused: Dye, Felt, Gilligan. Total 3.

Senate Amendments to House Bill No. 189 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 78.

Noes: Felt, Jensen, Lucas, Mather, Pierce, Rehberg, Selstad, Ulmer, Williams, Woodard. Total 10.

Absent or not voting: Boughton, Brenner, Jenkins, McNamer. Total 4.

Excused: Dye, Gilligan. Total 2.

Senate Amendments to House Bill No. 230 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Boughton, Brenner, Crum, Jenkins, McNamer. Total 5.

Excused: Dye, Gilligan. Total 2.

Senate Amendments to House Bill No. 256 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde,

Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Absent or not voting: Boughton, Brenner, Jenkins, McNamer, Schepens. Total 5.

Excused: Dye, Gilligan. Total 2.

Senate Amendments to House Bill No. 283 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Haines, Hall, Hanks, Healy, James, Jenkins, Judge, Laas, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nichols, Nutting, Obstarczyk, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Twedt, Ulmer, Williams, Willits, Woodard, Mr. Speaker. Total 69.

Noes: Broeder, Cregg, Gill, Gunderson, Harper, Holtz, Jensen, Johnson, Leuthold, Lombardi, Nelson, O'Hair, Raundal, Shugrue, Sullivan, Tracy, Watt, Zimmer. Total 18.

Absent or not voting: Boughton, Brenner, McNamer, Scherf. Total 4.

Excused: Dye, Felt, Gilligan. Total 3.

Senate Amendments to House Bill No. 290 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, East, Egan, Eklund, Falkenstern, Felt, Fischer, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Mr. Speaker. Total 78.

Noes: Bardanouve, Delano, Deschamps, Eskildsen, Flynn, Holtz, McOmber, Scherf, Tooke, Zimmer. Total 10.

Absent or not voting: Boughton, Brenner, McNamer, Smiley. Total 4.

Excused: Dye, Gilligan. Total 2.

Senate Amendments to House Bill No. 311 were concurred in by the following vote:

Ayes: Atkins, Bailey, Bashor, Bollinger, Casey, Cerovski, Christiansen, Crum, Cummings, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Willits, Mr. Speaker. Total 65.

Noes: Aasheim, Asbjornson, Bardanouve, Broeder, Cregg, Delano, Deschamps, Felt, Garrison, Hanks, Holtz, Loman, Lucas, Mather, Nutting,

Pierce, Rehberg, Scherf, Smith, Stranahan, Sullivan, Twedt, Woodard, Zimmer. Total 24.

Absent or not voting: Boughton, Brenner, McNamer. Total 3.

Excused: Dye, Gilligan. Total 2.

Senate Amendments to House Bill No. 317 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Shugrue, Stranahan. Total 2.

Absent or not voting: Boughton, Brenner, McNamer, Nichols. Total 4.

Excused: Dye, Felt, Gilligan. Total 3.

Senate amendments to House Bill No. 324 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 75.

Noes: East, Falkenstern, Garrison, Haines, Jenkins, Loman, Mather, Rygg, Schye, Smiley, Smith, Williams, Woodard. Total 13.

Absent or not voting: Boughton, Brenner, McNamer. Total 3.

Excused: Dye, Felt, Gilligan. Total 3.

Senate Amendments to House Bill No. 333 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Cerovski, Christiansen, Crum, Cummings, Egan, Eklund, Eskildsen, Fischer, Gerke, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, McDonald, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 64.

Noes: Casey, Cregg, Delano, Deschamps, East, Falkenstern, Flynn, Garrison, Haines, James, Jenkins, Jensen, Loman, Lund, MacCalman, Mather, McNamara, Rehberg, Selstad, Smiley, Smith, Spilde, Swanz, Williams, Woodard. Total 25.

Absent or not voting: Brenner, McNamer. Total 2.

Excused: Dye, Felt, Gilligan. Total 3.

Senate Amendments to House Bill No. 402 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Boughton, Casey, Gunderson, O'Leary, Rehberg, Selstad, Tracy. Total 7.

Absent or not voting: Brenner, McNamer, Raundal. Total 3.

Excused: Dye, Gilligan. Total 2.

Senate Amendments to House Bill No. 477 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Casey, Christiansen, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Broeder, Cerovski, Cregg, MacCalman. Total 4.

Absent or not voting: Brenner, Lewis, McNamer, Nichols, Raundal, Sheehy. Total 6.

Excused: Dye, Gilligan. Total 2.

Senate Amendments for Senate Substitute for House Bill No. 495 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 85.

Noes: Sullivan. Total 1.

Absent or not voting: Brenner, Cerovski, East, McNamer, Nichols, Raundal. Total 6.

Excused: Dye, Gilligan. Total 2.

Senate Amendments to House Joint Resolution No. 26 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gerke, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Absent or not voting: Brenner, McNamer, Schye. Total 3.

Excused: Dye, Gilligan. Total 2.

Motion was made by Cerovski that the House revert to Order of Business No. 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Christiansen of Big Horn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 34 be amended on line 9, page 1 of the printed bill by adding after the words "session of the" the figure "39th";

And as amended, do pass.

That House Bill No. 520 do pass.

That House Bill No. 5 do pass.

That House Bill No. 4 be amended in the title of the printed bill by striking the words and figures "two thousand dollars (\$2,000.00)", and inserting in lieu thereof the words "two thousand five hundred dollars (\$2,500.00)";

And amend Section 2 by inserting on line 33, page 2 of the printed bill after the word "Speaker" a comma "(,)" and the words "Majority Leader" and further amend Section 2, page 2, line 37 of the printed bill by striking out the words and figures "two thousand dollars (\$2,000.00)" and inserting in lieu thereof the words and figures "two thousand five hundred dollars (\$2,500.00)";

And as so amended, do pass.

That House Bill No. 3 do not pass.

That Senate Bill No. 43 be concurred in.

That Senate Bill No. 119 be concurred in.

That the committee rise and report.

CHRISTIENSEN, Chairman.

Motion was made by Christiansen, that the Committee of the Whole report be adopted.

Substitute motion was made by Haines that House Bill No. 3 be segregated from the Committee of the Whole report, that a roll call vote be taken, with the results thereof spread on the Journal. Sufficient seconds arose, and the substitute motion carried by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Cregg, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gerke, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Sartz, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Twedt, Ulmer, Watt, Williams, Zimmer, Mr. Speaker. Total 70.

Noes: Aasheim, Casey, Christiansen, Cummings, Garrison, Gilfeather, Holtz, Jensen, Lund, Nelson, Rygg, Schepens, Shugrue, Sullivan, Tracy, Willits, Woodard. Total 17.

Absent or not voting: Brenner, Cerovski, Crum, McNamara, Raundal, Tooke. Total 6.

Excused: Gilligan. Total 1.

Motion was made by Christiansen that the Committee of the Whole report be adopted as amended. Motion carried.

Report adopted.

March 2, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 346, beg leave to report that the same has this day been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 23, introduced by Johnson, Fischer: A Resolution of the House of Representatives supporting the request of the Deer Lodge County Commissioners that the federal food stamp program be extended to that county. Referred to Committee on Public Health, Welfare and Safety.

Motion was made by Judge that House Bill No. 518 be taken from the Committee on Reapportionment and placed on Second Reading. After discussion, Judge withdrew his motion.

Motion was made by Cerovski that the Speaker be instructed to appoint a Conference Committee of three to meet with a like committee from the Senate to confer on Amendments to Senate Bill No. 104. Motion carried.

Motion was made by Cerovski that the Speaker be instructed to appoint a Conference Committee of three to meet with a like committee from the Senate to confer on Amendments to Senate Bill No. 105. Motion carried.

Motion was made by Cerovski that the Speaker be instructed to appoint a Conference Committee of three to meet with a like committee from the Senate to confer on Amendments to Senate Bill No. 106. Motion carried.

Motion was made by Cerovski that the Speaker be instructed to appoint a Conference Committee of three to meet with a like committee from the Senate to confer on Amendments to Senate Bill No. 168. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following conference committee to confer with like committee from the Senate on Senate Bills Nos. 104, 105 and 106: Judge, Fischer, Garrison.

The Speaker appointed the following conference committee to confer with a like committee from the Senate on Senate Bill No. 168: Aasheim, Cummings, Rygg.

Motion was made by Cerovski that the House adjourn until 10:00 a. m. Wednesday, March 3, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Chairman.

WALTER MARSHALL, Chief Clerk.

FIFTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 3, 1965

House convened, pursuant to adjournment, at 10:00 a.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Gerke, Gilligan, Laas, excused, and Garrison.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-eighth Legislative Day, find the same to be correct.

ESKILDSSEN, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

March 2, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 4, 5, 34 and 520.

HARPER, Chairman.

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 17, respectfully report as follows: That House Resolution No. 17 be amended as follows:

1. Amend page 1, line 17 of the original bill by deleting the word "eastern" and inserting in lieu thereof the word "western".

And as amended, do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 21, respectfully report as follows: That House Resolution No. 21 do pass.

WATT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 22, respectfully report as follows: That House Resolution No. 22 do pass.

ESKILDTSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 533, respectfully report as follows: That House Bill No. 533 be amended as follows:

Amend Section 2 on page 2 of the original bill by deleting lines 14, 15 and 16 in their entirety.

And further amend Section 2 in line 18 of page 2 of the original bill by deleting the figures "\$5,040.00" and "\$5,040.00" and inserting in lieu thereof "\$10,080.00".

And as amended, do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 527, respectfully report as follows: That House Bill No. 527 do not pass.

BARDANOUE, Chairman.

Motion was made by Bardanouve that the Committee Report be adopted.

Substitute motion was made by Judge that House Bill No. 527 be printed and placed on Second Reading. Substitute motion failed.

Report adopted.

CONFERENCE COMMITTEE REPORTS

March 2, 1965

To: The President of the Senate
The Speaker of the House

We, your Joint Conference Committee appointed to consider the Senate and House Amendments to House Bill No. 49, beg leave to report as follows:

Amend the House Committee on Judiciary Amendment to House Bill No. 49 which added a paragraph in Section 2, page 3, line 14 of the printed bill, as follows:

In lines 4 and 5 of the amendment by striking the following words and punctuation after the word "is": "unemployed, but who is,".

And in line 6 of the amendment, after the word "county", by striking the punctuation and word ", either".

And also in lines 6, 7 and 8 of the amendment, after the word "unemployable" by striking the following words and punctuation: "or who is honestly and responsibly seeking proper employment and is unable to find such employment."

And that the Senate recede from its amendment.

And as so amended, be concurred in.

For the Senate:

KAFKA,
McDONNELL,
HAFFERMAN.

For the House:

HALL,
GILFEATHER,
LUND.

The Conference Committee Report on House Bill No. 49 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 81.

Noes: Selstad. Total 1.

Absent or not voting: Boughton, Brenner, Broeder, Delano, Garrison, O'Hair, O'Leary, Tooke. Total 8.

Excused: Felt, Gerke, Gilligan, Laas. Total 4.

March 2, 1965

To: The President of the Senate
The Speaker of the House

We, your Joint Conference Committee appointed to consider House amendment to Senate Bill No. 7, beg leave to report as follows:

The Joint Conference Committee appointed to consider Senate Bill No. 7, recommend that the House recede from its amendment to Senate Bill No. 7, being:

"Amend Section 6 by striking out in line 10 of the printed bill, being line 24 on page 5 of the original bill, after the word "board," the word "may" and insert in lieu thereof the word "shall".

And, as so amended, be concurred in.

Respectfully submitted,

For the Senate:

RIEDER, Chairman,
McGOWAN,
MATHERS.

For the House:

HANKS,
CHRISTIENSEN,
LUCAS.

The Conference Committee Report on Senate Bill No. 7 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Absent or not voting: Boughton, Broeder, Delano, Garrison, Gunder-son, O'Leary, Tooke. Total 7.

Excused: Gerke, Gilligan, Laas. Total 3.

REPORTS OF SELECT COMMITTEES

Mr. Speaker:

We, your special committee appointed for the purpose of studying the activities of the State Board of Equalization and its relation with the County Commissioners Association, and the County Assessors Association, respectfully report as follows:

In accordance with your direction, the committee met, organized, and rather than go to the expense of hiring special investigators or taking time from this session of the members of the committee in separate or united investigation, we decided to hold a public meeting at which the committee proposed to sit as a board and have all interested parties present their views on this matter under oath. Therefore, the committee sent out notices to the State Board of Equalization and the County Commissioners Association, and the Assessors Association requesting each to present for the use of the committee a statement as to what the question of controversy was, how it arose, the legal aspects of the stand of each and any suggestions for remedying the same. We then set a public hearing at which all interested parties were given a full opportunity to present their side of the controversy.

The County Commissioners Association presented its statement and brief through its attorney, Mr. William F. Crowley. The County Assessors Association joined in the commissioners' brief. The Flathead County Taxpayers Association appeared specially through its attorney, Francis J. McCarvel. The State Board of Equalization filed its brief and was represented by Mr. Douglas, attorney for the board. The hearing was set for Friday, February 5, commencing at 7:30 p.m. It was held in the auditorium of the highway building. The committee sat as a board. All testimony and statements were taken under oath and the attorneys for all contestants had an opportunity to cross examine. The board on various occasions asked supplemental questions. The meeting lasted through Friday evening until about 11:00 p.m. We convened again on the 6th at the same place at 1:30 p.m. and we concluded at 6:30 p.m. that evening. The attorneys were given 20 minutes each to present their outline of the matter and then witnesses appeared on behalf of the Montana Association of County Commissioners, Montana Assessors Association, Flathead County Commissioners and Taxpayers Association. Also appearing was the Lincoln County Attorney and Assessor. The State Board of Equalization presented Mr. Dan Fulton, chairman and Mr. Douglas, the attorney for the board. Various exhibits were introduced by both sides. Complete record of the proceedings was taken, the original copy of which is on file with the Chief Clerk. Copies of this record were made for each of the committee members, and copies thereof have been given to the majority floor leader and minority floor leader. As a result of this hearing we, your committee, make the following findings of facts and suggestions.

I. Findings and Facts

That the controversy heretofore existing between the State Board of Equalization and the County Commissioners Association, and Assessors Association of the State of Montana was based mainly on a number of rather minor disagreements arising out of vagueness and uncertainties in the law, misinterpretation of the law, changes in policy due to changes in the state board and possibly personality conflicts, all in the following respects:

In the first place, most of the present controversy arose out of the administration of the reclassification law; namely, Sections 84-429.7 through 84-429.13 R.C.M. 1947. These sections are the re-enacting sections adopted in 1957 of the 1955 Reclassification Law contained in Sections 84-429.1 through 84-429.6. This reclassification law sets forth certain duties of the county commissioners to reclassify and to revalue lands and other real property within each county under the direction of the State Board of Equalization. The law is relatively clear as to how the reclassification and

revaluation should be done; however, it is quite vague as to the authority of the state board in the event any particular county or counties do not fully cooperate. Thus, after a majority of the counties had relatively finished their reclassification and revaluation, the question arose as to whether the local boards or the state board had the final say upon the valuation to be placed on the various properties as a result of such reclassification, and in the event of disagreement what procedure should be followed in arriving at who had the final authority. The state board seemingly attempted to apply its powers under the general statutes rather than under this reclassification statute. Further, from the testimony, it appears that possibly both the county commissioners and the state board did not strictly follow all of the provisions of either the reclassification statute or the general law in regard to arriving at the valuation of property. We found that in some places the county commissioners took upon themselves the right to change the valuations set by the appraisal firms without formal request of local taxpayers. The state board came in and attempted to place their valuation upon this property without giving proper notice even under the regular statute for hearings on changes of valuation. Thus, the state board in these instances attempted to set the valuations in the first instance rather than to act in an appellate capacity.

Another main factor in this disagreement was the changing of personnel in the State Board of Equalization during the progress of this program and consequently change in theory of operation. It seems that the board in existence at the time the program first started, pretty well agreed that the county commissioners and the county assessors should carry this work on in the first instance in their separate counties and agreed that after they had the work done then the state board and the county commissioners would get together, and the implication at least was given that whatever values the county commissioners and assessors, as organizations, could come up with as fair values for all property throughout the state, would be accepted by the state board, and that any irregularities thereafter would be handled by the state board on a review or appellate basis to iron out inequities between the counties, if any existed. Under those circumstances a 15-man committee was organized by the county commissioners and county assessors, each representing various areas. This group did arrive, after a number of meetings, at what they thought to be fair prices in their respective properties, giving certain local concessions and recognizing certain local differences. However, when these values were submitted to the state board, due to change in personnel on the board, the state board refused the same in certain places and attempted to set up rather strict statewide requirements and in particular tried to use certain indices for arriving at value between the different types of property within the same class. As to this latter statement, we particularly refer to grazing lands wherein the state set up a standard on carrying capacity and said that all lands should be valued on a carrying capacity basis regardless of their location, when in reality there can be differences in the value of lands with the same carrying capacity, depending on location and circumstances, that is, land with a carrying capacity of six cows per 100 acres located in an area where stock raising is the prevalent industry and where sufficient such land is available to set up economic units, may have a greater value to that area than similar land located in an area where such land is not in abundance and where it cannot be secured in sufficient amount to set up an economic unit. Thus, we feel that although strict formulas as to carrying capacity may work well where all circumstances are equal, nevertheless the determination as to the value of land can best be left to local authorities, at least in the first instance where circumstances vary the actual value. Therefore, we feel that the determination of the personnel of the state board at the time this program was first started, was more practical than the determination of the personnel of the state board which gave the later orders. The personnel conflict arose, we feel, over this change in policy and a determination to force completion of the project.

II. Suggestions

The committee suggests:

(1) The County Assessors and County Commissioners should attend the State Board of Equalization school on assessing and property appraisals.

(2) That the state board should have a state manual for the guidance of assessors and should keep the same up to date.

(3) That there should be state-directed property tax guidelines, pertaining to assessment of both inter-county and intra-county property, that the counties and the state board should both keep up to date an adequate sampling of proper values, and should freely and openly exchange information as to how values are arrived at, both as to inter-county and intra-county property.

(4) That all property of the same class and of different classes should be based, whenever possible, on a true value or a sales market value basis, or at least if formulas are used, where necessary, that such formulas in all instances take into consideration factors which can be translated into market value so that the various counties and the taxpayers within the counties will have some basis for determining whether their property is being assessed on the same percentage of true value as other property within the respective counties, within other counties, and as property assessed on a statewide basis by the State Board of Equalization.

(5) That the assessment date for property should be moved up to the first Monday in January or the first Monday in February so there would be time to hold hearings and make determinations between assessment dates and determination of tax levies.

(6) That the State Board of Equalization work in coordination with the County Commissioners and County Assessors and when a committee exists of County Commissioners and County Assessors that the state board attempt to negotiate through them with any county which is not conforming or with which it has a difference, prior to proceeding to court action.

(7) That an administrative procedure act, particularly, as to the steps to be taken on appeals by either the property owner, the assessor of the County Board of Equalization, should be enacted to clarify the law and fully protect all the parties against any abuses by any other party, both as to the reclassification problem and as to regular assessments, and

(8) That such administrative act protect the right of appeal to our courts by a taxpayer against any of the government agencies and, further give the right to any of the government agencies to question any other government agency, either above or below, not only as to questions of law but as to questions of fact in arriving at values of property between taxpayers, between different classes of property and between counties.

We further wish to present to this honorable body, a copy of the communication given to us by the Montana County Commissioners Association under date of February 25, 1965, a copy of which communication is attached hereto and marked Exhibit "A" and by this reference made a part hereof; a copy of the comments given us by the Assessors Association under date of February 23, 1965, a copy of which communication is attached hereto marked Exhibit "B" and by this reference made a part hereof; and a copy of the communication received by the committee from the State Board of Equalization, a copy of which is attached hereto, marked Exhibit "C", and by this reference made a part hereof. That all of said communications indicate interest on the part of all such parties to fully cooperate in the future.

Respectfully submitted,

P. J. GILFEATHER /s/
ARTHUR R. ATKINS /s/
FRED O. BROEDER /s/

Report adopted.

Report of select committee of the House of Representatives in the 39th Legislative Assembly of the State of Montana, appointed for the purpose of studying the expenditures and many activities of the Montana Centennial Commission.

Mr. Speaker and members of the House of Representatives:

1. The members of the selected committee, appointed for the purpose of studying the expenditures and the propriety of its many activities for the benefit of Montana's taxpayers and for the benefit of the many good citizens who expended time and money individually to celebrate our Centennial, do respectfully report as follows:

2. The year 1964, being the Centennial or 100th year since the proclamation of the Montana Territory by President Abraham Lincoln; the state did set about to celebrate this occasion. It will be the endeavor of this report to appraise you of the activities and expenditures and to draw some conclusions.

3. The 38th Legislative Assembly of the State of Montana did, through regular process, authorize a Centennial Commission to be formed and an appropriation of \$200,000.00 was made to the Commission.

4. This Committee did interview many persons who were associated in various capacities connected with the celebration as well as conducting studies of the financing of the same. The members herewith report their findings and conclusions.

5. The Montana Territorial Centennial Commission was organized for the purpose of promoting Montana through voluntary participation from all it's citizens. The effort was made by encouraging local participation and by assisting in the planning and promotion wherever possible. In the larger projects, the funds of the appropriation were used to assist those endeavors which would be of the greatest advantage. The advertising value of the over 375 community celebrations would be impossible to estimate.

6. The Centerrial Commission participated in the following events which involved both local and state funds:

a. Montana's participation in the Rose Parade in Pasadena was the official opening of the celebration. There was a reception for over 1000 people at the Statler-Hilton Hotel in Los Angeles, a luncheon at Disneyland, a banquet honoring Dwight D. Eisenhower, the christening ceremony of the Montana float at the Pasadena float lot, and the participation in the parade by Montana with a float and by the Montana Centennial Band. In competition, the Band placed first, the float third. Centennial funds involved were Float \$5,500, Band expenses \$10,000.00, other expenses \$2,000.00. In this event, Montana received nationwide news and TV coverage. Governor Babcock and Senator Mike Mansfield participated in the ceremony.

b. One hundred Great Falls High School students and faculty chartered a plane to Norway on their own. They had an audience with King Olaf of Norway and extended an invitation to him to visit Montana during the Centennial year.

c. The Centennial Ball on May 26th in Helena in conjunction with a special program on the Capitol lawn drew thousands from all over the states.

d. The Montana Story Pageant was held in Billings, Miles City, Missoula, Kalispell, Lewistown, Glasgow, Glendive, Shelby, Helena, Butte, Great Falls, and Bozeman under the direction of the Rogers Company. Different scripts were written and the Story was produced locally with local casts of several hundred. The Story was plagued by bad weather in many areas. The Commission paid the expense of the Montana Story and participated on a 75-25 percentage basis with the local committees who

presented the pageant. The Montana Story Pageant operated at a considerable loss to the Commission.

e. The Centennial Band had eighty-five members from thirty-five communities in the state. They purchased their own uniforms and raised much of their own funds. Approximately \$25,000 was raised by band members and friends to finance their trip to the New York World's Fair and Washington, D.C. They were chosen as the honor band for the Diplomatic Corps and played concerts on the steps of the Capitol, in the Senate building and in the Rose Garden at the Capitol.

f. The Miles City High School Band financed it's own way to the Portland Rose Festival in Portland, Oregon. The Centennial Commission assisted by paying \$1,500.00 of the cost of the \$3,500 float that the Miles City group entered in the Rose Parade.

g. Other events were the University of Montana symphonic programs, the records by Monty Montana, beard contests, participation in conventions and the presentations of Montana brochures, medallions and dollars at special events both here in Montana and throughout the nation. A special exhibit was sent to Paris for several weeks at no expense to the Commission.

h. The Centennial train was originally to consist of twelve cars. It was to make a trip around the state and then to New York and back. It grew to twenty-five cars with three hundred people, seventy-five horses, wagon, pack trains and many other items in the exhibit cars. For thirty-one days there were special luncheons, banquets and parades along the way with stops for the exhibit in Omaha, Kansas City, St. Louis, Louisville, Cincinnati, Charleston, West Virginia, Washington, D.C., Baltimore, Philadelphia, New York, Pittsburg, Cleveland, Chicago, Milwaukee, Moline and Minneapolis. The Centennial Commission participated in the train with approximately Eighty Thousand Dollars in cash and Twelve Thousand Dollars in merchandise.

7. A number of TV and radio appearances were made in every city, also newspaper and magazine coverages were above average.

8. The banquets in Washington, New York and Charleston were listed as all star events. In Washington, D.C., President Johnson honored them with his presence on two occasions. He greeted them in the Rose Garden of the White House. Governor Babcock made a presentation to the President. At the Montana banquet in the Sheraton Park Hotel, there were over one thousand former Montanans and guests. President Johnson joined them again. Senator Mansfield arranged for the meetings with the President, Chet Huntley was Master of Ceremonies. Many notables were in attendance including the Montana Congressional representation.

9. The parade of the complete contingent at the ball park in Baltimore before the Yankee-Baltimore American League game gave opportunity for TV coverage and for the presentation of one of the Colt revolvers to Montana's No. 1 Big Leaguer, Dave McNally of Billings, and other Centennial souvenirs to Yogi Berra and Mickey Mantle.

10. The Commodore Hotel banquet was planned by Norma Beatty Ashby of Great Falls, formerly Secretary of the Montana Boosters of New York City, and Jack Hume. They were assisted by a group of former Montanans now living in New York.

11. The TV appearance during the opening day parade of New York's World Fair, the dedication of the exhibit and the special Montana parade on Montana Day three days later, gave opportunity for tremendous exposure.

12. The early planning of the year-long celebration by the Commission did not include the New York World's Fair participation. The plan was to come home and disband. After the trip, the Commission was convinced that the effort should be made to promote an exhibit. Concessions were given

that ran into several hundred thousands of dollars in value. These concessions were in the way of rebates on charges and reduced rents.

13. The appropriations for \$200,000.00 in 1963 to carry out the Centennial program, was mainly planned for in-state activity, the Rose Bowl participation and the train to New York and back. No part of it was planned for the New York Exhibit.

14. Through the cooperation of Governor Warren of West Virginia and his West Virginia Commission, the train was purchased for a reasonable figure with deferred payments. The train is the property of the Commission and can be salvaged. States which are holding celebrations in the near future have indicated their interest in the train such as Alaska, Nebraska, and also Canada, which will be staging a World's Fair in 1967.

15. Montana's exhibit site at the Fair is about two city blocks long. Across the avenue from it are the Illinois, West Virginia, Maryland and a portion of the Singer exhibits. The western type buildings and fence with the decorated train gives an attractive setting. Along with many other concessions, the train was given permission to erect what is claimed to be New Work's longest sign, the only sign on the grounds — well over four-hundred feet in length and eight feet high, in color, reading "Montana The Big Sky Country". It is felt that the value of the sign alone, over a long period, is worth more than our entire investment in the exhibit. Exhibits at the Fair run from one-million dollars to over fifty-million dollars each in costs.

16. The Montana exhibit is there, all capital investments have been made, the merchandise is there. The attendance at the Fair in 1964 was down. In spite of this, the Montana exhibit showed a profit in current operations with a full six months, with all departments of exhibit in operation from the very start this spring, that Montana should realize an attractive net income at the Fair in 1965.

i. The Centennial Commission purchased a supply of merchandise consisting of booklets, medallions, centennial dollars, pistols, cookbooks, and many other items which had significance from a centennial standpoint. This merchandise was put out to the merchants of many cities and towns around the state on a consignment basis. There has been a profit on this merchandise but the principle of selling in this manner has not been a complete success. Some merchandise is still out in these areas and final settlement has not been made on some of it. With disposal of present inventory, this particular venture should show a significant profit.

j. The Commission is closing out the in-state operations, merchandise is being disposed of, community accounts scattered over the State are being checked in and final audits are being completed. The State office has been closed and moved to the Historical Museum. Office help has been reduced to one person.

STATE FUNDS EXPENDED

LEGISLATIVE APPROPRIATION		\$200,000.00
FISH AND GAME FUNDS	\$57,500.00	
Plus estimated salaries	1,000.00	58,500.00
HIGHWAY FUNDS:		
Photographing, Salary and transportation	3,428.71	
For paintings on train, property of commission	30,547.05	
Transportation	810.00	
State Advertising Department, three men on tour	3,000.00	
Salaries for Accounting	3,904.74	41,690.51
STATE PLANNING BOARD		3,000.00
TOTAL		\$303,190.51

DONATIONS:

Materials	\$ 19,679.19
Private Sources (Cash)	97,618.81
	<u>\$117,298.00</u>

NOTE: Records of Montana Centennial Commission were found to be in excellent order.

SUMMARY OF CENTENNIAL TRAIN EXPENSES-DECEMBER 31, 1964

	Amount
Montana Territorial Centennial Commission:	
6/11/63—Train personnel travel expenses	\$ 3,000.00
7/22/63—Exhibit Car exp. (1/7th prorata share)	\$12,949.80
11/16/63—Fish Pond Exhibit at Fair	18,269.00
1/11/64—Other Exhibit Expenses at Fair	18,765.30
	<u>49,984.10</u>

Fish and Game Department—Exhibits:

L. G. Mitchell—Wolverine hide	15.00	
Jack Atcheson—Antelope mount	350	
Jack Atcheson—Sheep mount	375	
Alpine Wildlife—Fish mountings	326.47	
Lentfer Brothers—Black bear hide	127.50	
Great Falls Sporting Goods—Goat mount	450.00	
Bob Miller—Taxidermy work	64.00	1,707.97
20" x 24" Lighted picture transparency	55.00	
Fiber glassing on transparency	12.00	
Plexiglass mounting exhibit cases	459.00	
Yuhas Millwork, car interior work	2,017.66	
Western Painting & Dec. Co., car interior paint	381.04	\$ 2,924.70

(1) Miscellaneous salaries, benefits and expenses	267.27
Total Authorized Expenditure	<u>\$57,881.04</u>

- (1) Salaries and benefits as shown above were an additional expense which had to be charged against the Centennial Train Fund inasmuch as this work was performed as part of the Exhibit preparation and was requested by the Train Director.

The four Game Wardens who were at the Fair Exhibit were not charged against the Centennial Train Fund but were carried at their regular salaries as on enforcement projects.

- (2) The mountain sheep was authorized at a later date by the Fish and Game Commission and should have been shown as an expenditure from Fish and Game operating funds rather than Centennial funds. The additional mount was approved when the sheep became available to the department through an accident wherein the sheep was killed by a car. The head was outstanding and mounted for exhibit purposes.

MONTANA TERRITORIAL CENTENNIAL COMMISSION
HELENA, MONTANA

BALANCE SHEET AS OF FEBRUARY 26, 1965

CURRENT ASSETS:

Petty Cash fund	\$ 1,100.00	
Appropriation account #767-1	522.26	
Cash Fund #224600 (Note 1)	9,501.11	
Merchandise inventory at cost	69,216.57	\$ 80,339.94

FIXED ASSETS:

Office Furniture and Fixtures*	4,059.50
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OTHER ASSETS:

Payment on train	85,000.00	
Inventory consigned to train, at cost	11,295.15	
Advance to Helena Centennial Commission	4,000.00	
Accounts receivable Montana Story	2,799.03	103,094.18
		<hr/>
Total		187,493.62
		<hr/>

LIABILITIES AND CAPITAL

CURRENT LIABILITIES:

Accounts payable Ohm. Inc. (note 2)	8,835.00	
Accounts payable Ashton Engraving Co.	30,408.13	
Accounts payable John B. Rogers	5,000.00	44,243.00
		<hr/>

TERM LIABILITIES:

Appropriation loan, State of Montana	200,000.00
Total Liabilities:	<hr/> 244,243.13

CAPITAL:

Net loss	(56,749.51)
Total	<hr/> 187,493.62

Notes:

#1 \$3,000.00 of this fund has been encumbered to purchase guns. Guns are now here but Colt's Patent Fire Arms Mfg. Co. has been negligent in sending invoices.

#2 This is the balance owing for coins.

*Sold 1 typewriter, 2 typewriter stands and 2 typewriter chairs.

REPORT — "MONTANA STORY" — October 20, 1964

City	Projection 100%	Projection Ex- pected—60%	Total Actual	State 75%	City 25%
Billings	42,367.00	25,420.20	14,539.00	10,904.25	3,634.75
			Billings paid out for stage work—		
Miles City	16,383.50	9,830.10	8,232.30	6,174.22	2,058.08
Missoula	25,339.00	15,203.40	7,017.15	5,262.86	1,754.29
Kalispell	16,374.00	9,824.40	4,828.25	3,332.43	1,495.82
Lewistown	12,961.00	7,776.60	9,858.46	7,393.85	2,464.61
Glasgow	12,338.50	7,403.10	11,054.75	8,291.06	2,763.69
	(113.57	paid to Rogers;	137.26 to contractor for stage)—		
Glendive	16,320.00	9,792.00	10,463.00	7,847.25	2,615.75
			(Glendive paid to Rogers)—		
Shelby	10,500.00	6,300.00	5,245.00	3,933.75	1,311.25
Helena	25,500.00	15,300.00	9,608.75	7,206.56	2,402.19
Butte	33,924.00	20,354.40	11,247.17	8,435.38	2,811.79
	<hr/> 212,007.00	<hr/> 127,204.20			
Great Falls	44,352.00	26,611.20			
Bozeman	21,946.00	13,167.60			
TOTALS	<hr/> 278,305	<hr/> 166,938.00	<hr/> 92,093.83	<hr/> 68,781.61	<hr/> 23,312.22

City	City Paid	Balance Due Story	Mdse.	Total
Billings	8,769.75			
Billings paid out for stage work	705.81			
	<hr/>			
Miles City	9,475.56			
Missoula	4,000.00	2,050.52	2,267.65	4,318.17
Kalispell	5,262.86			
Lewistown	3,332.43			
Glasgow	6,649.84	744.01	1,762.52	2,506.53
	8,040.13			
(113.57 paid to Rogers; 137.26 to contractor for stage)	250.93*			
	8,291.06			
Glendive	7,367.13**			
Glendive paid to Rogers	500.00***			
	<hr/>			
Shelby	7,867.13			
Helena	3,933.75			
Butte	7,202.06	4.50	3,365.04	3,369.54
Great Falls	7,286.50			
Bozeman		2,799.03	7,395.21	10,194.24
	<hr/>	<hr/>	<hr/>	<hr/>
TOTALS	63,301.19			

**—overpayment of 19.88

* —Due Centennial Commission by Rogers Co. 113.57 Paid by Glasgow to Rogers Co. 137.26 to contractor for stage (Total — 250.93).

***—Due Centennial Commission—500 Paid by Glendive to Rogers

Rogers Contract for 155,000. TOTAL Due Commission by Rogers \$613.59

Schedule 1

MONTANA CENTENNIAL TRAIN AND WORLD'S FAIR

Cost of Montana State Pavilion and Equipment

September 30, 1964

Centennial Train:

Railroad cars	\$ 40,000.00
Audio equipment	13,709.70
Generator and electrical	13,450.39

Reconstruction or railroad cars:

Lumber	3,227.47
Welding	2,090.39
Painting and decoration	1,983.58
Steel ramps	532.20
Air conditioner	1,777.00
Miscellaneous	10,461.39

87,282.12

World's Fair Pavilion:

Pavilion construction Sawyer & Rolfinger)	\$132,213.06	
Fair value of lumber and fixtures donated	39,031.16	
Electrical construction and equipment	20,643.95	
Lumber and panel structures	19,343.00	
Miscellaneous	12,755.31	
	<hr/> 223,986.48	
Less construction cost reimbursed by concessionaire	19,312.98	
		204,673.50
		<hr/> \$291,955.62
		<hr/>

Schedule 2

MONTANA CENTENNIAL TRAIN AND WORLD'S FAIR

Accounts Payable

September 30, 1964

Operating Fund:

Centennial Train tour:

Chicago, Burlington & Quincy Railroad Co.	\$ 37,116.74
Northern Pacific Railroad Co.	22,036.58
Pullman Company	2,544.96
Curley Naylor Electric	1,656.57
Bradley Recording Studio	786.00
The Commodore Hotel	540.12
Billings Petroleum	211.25
	<hr/> \$ 64,892.22
	<hr/>

World's Fair Pavilion:

Vendors—for consigned merchandise sold:

Montana Territorial Centennial Commission	7,554.40
Montana Historical Society	3,245.43
Other	2,447.54
	<hr/> 13,247.37

Vendors—for merchandise purchased:

Photo Lab		
Karman Western Wear		
Goldfarb Exposition Souvenir	\$ 1,361.28	
Bell Trading Post	611.52	
Dexter Enterprises	589.60	
Other	478.65	
	388.79	
	<hr/> 2,089.64	5,519.48
	<hr/>	

Vendors—General operations:

Don & Stella Foote	9,705.99
New York World's Fair 1964-1965 Corporation	8,851.30
Campo & Roberts	2,329.85
Ashton Printing	2,170.06
Montana Chamber of Commerce	1,247.80

Weissman's	1,069.39	
Montana State Highway Commission	822.40	
Other	2,695.83	
		<u>28,892.62</u>
		\$ 47,659.47
Plant Fund:		
Sawyer & Dolfinger	59,187.02	
State of West Virginia	20,000.00	
Graybar Electric Company, Inc.	12,519.91	
Armstrong Temperman	6,000.00	
		<u>\$ 97,706.93</u>

CENTENNIAL TRAIN AND MONTANA PAVILION
BALANCE SHEET AS OF DECEMBER 15, 1964
CONSOLIDATED AND INDIVIDUALLY

	Consolidated	Centennial Train	Montana Pavilion
ASSETS:			
Current Assets:			
1st National City			
Bank of New York	\$ 14,605.59	\$	\$ 14,605.59
State Treasurer	175.24	175.24	
Petty Cash Fund			
(New York & Bozeman)	200.00		200.00
Merchandise Inventory	7,524.30		7,524.30
Total Current Assets	22,505.13	175.24	22,329.89
Fixed Assets:			
Train, Machinery, Pavilion			
& Equipment	292,106.42	87,282.12	204,824.30
Off. Furniture & Fixtures	5,763.50	916.61	4,846.89
Total Fixed Assets	297,869.92	88,198.73	209,671.19
Deferred Charges:			
Deferred Rental			
Expense	2,500.00		2,500.00
Prepaid Insurance	2,670.64		2,670.64
Total Deferred Charges	5,170.64		5,170.64
Total Assets	325,545.69	88,373.97	237,171.72
Net inter-activity Transfers			
between Train & Pavillion		56,875.70	(56,875.70)
	<u>325,545.69</u>	<u>145,249.67</u>	<u>180,296.02</u>
Liabilities & Net Worth:			
Current Liabilities:			
Accounts Payable—			
Merchandise	5,003.91		5,003.91

	Consolidated	Centennial Train	Montana Pavilion
Accounts Payable—			
Operating	81,724.33	63,940.85	17,783.48
Contracts Payable	72,706.93	6,000.00	66,706.93
Payroll Taxes Payable	626.40		626.40
Accrued Payrolls	887.50		887.50
Unearned Concession Rental	16,916.54		16,916.54
Total Current Liabilities	177,865.61	69,940.85	107,924.76
Long Term Liabilities:			
State of West Virginia	20,000.00	20,000.00	
Don Foote	5,000.00		5,000.00
Total Long Term Liabilities	25,000.00	20,000.00	5,000.00
Total Liabilities	202,865.61	89,940.85	112,924.76
Net Worth:			
Excess of Assets over Liabilities	122,680.08	55,308.82	67,371.26
Total Liabilities and Net Worth	325,545.69	145,249.67	180,296.02

PROFIT AND LOSS STATEMENT AS OF DECEMBER 15, 1964

Income:

Centennial Commission	\$ 85,000.00	\$ 85,000.00	\$
Fish & Game Commission	49,984.10	49,984.10	
Museum Income	93,791.50		93,791.50
Concession Rental Income	23,083.46		23,083.46
Arcade Income	19,164.19		19,164.19
Other Income—			
Hereford Ass'n.	8,000.00		8,000.00
Donations—Commercial	89,475.81	89,475.81	
Donations—Materials	33,141.45		33,141.45
Passenger Fares	104,158.50	104,158.50	
Train Tour Receipts	87,521.05	87,521.05	
Merchandise Sales	156,502.62	21,711.90	134,790.72
Purchases	105,286.50		
Less Ending Inventory	7,524.30		
Cost of Goods Sold	97,762.20	15,498.33	82,263.87
Gross Profit on Sales	58,740.42	6,213.57	52,526.85
Gross Income	652,060.48	422,353.03	229,707.45

Expenses:

Salaries	88,971.59	32,860.52	56,111.07
Services	8,186.92	3,661.73	4,525.19
Rentals	25,544.75	1,577.76	23,966.99
Insurance & Interest	12,869.31	8,501.36	4,367.95
Payroll Taxes	2,541.63	506.73	2,034.90
Licenses, Fees, Taxes	1,723.96		1,723.96
Utilities & Telephone	20,245.44	6,904.28	13,341.16

	Consolidated	Centennial Train	Montana Pavilion
Advertising and Promotion ..	26,630.07	13,781.47	12,848.60
Travel & Per Diem	57,357.93	32,160.00	25,198.93
Office Supplies	6,236.75	2,271.01	3,965.74
Supplies & Stock Feed	8,585.97	5,522.75	3,063.22
Postage, Freight & Express	5,829.76	1,879.35	3,950.41
Repairs & Replacements	2,891.13		2,891.13
Miscellaneous Expenses	808.09	132.95	675.14
Petty Cash Charges—			
Undistributed	3,671.80		3,671.80
Professional Services	375.00	375.00	
Train Fares and Pullman			
Fares	193,313.95	193,313.95	
Miscellaneous Train Expense	10,729.11	10,729.11	
Hotel and Meal—Tour	52,866.24	52,866.24	
Total Expenses	529,380.40	367,044.21	162,336.19
Excess of Income over Expenses	122,680.08	55,308.82	67,371.26

MONTANA CENTENNIAL TRAIN AND WORLD'S FAIR

Balance Sheet
September 30, 1964

ASSETS

Operating Fund:

Cash	\$ 31,474.54
Inventory, at lower of cost or market	10,050.14
Prepaid insurance	3,560.84
Deferred rent (applicable to 1965 fair season)	2,500.00
Construction advances to Plant Fund	87,750.88
	135,336.40

Plant Fund:

Montana State Pavilion and equipment therein, at cost	\$291,955.62
Office equipment	5,763.50
	297,719.12
	\$433,055.52

Liabilities and Fund Balance

Operating Fund:

Accounts payable—trade:	
Centennial Train tour	64,892.22
World's Fair Pavilion	47,659.47
	112,551.69
Taxes withheld and collected	2,682.99
Accrued expenses	3,185.18
Advance rentals from concessionaire	16,916.54
	135,336.40

Plant Fund:

Account payable—contractors	97,706.93
Construction advances due Operat. Fund	87,750.88

Fund balance:

Contributions, representing fair value of construction materials ..	\$ 33,141.45		
Appropriation received from Operating Fund	79,119.86	112,261.31	
			297,719.12
			<u>\$433,055.52</u>

See accompanying notes to financial statements.

MONTANA CENTENNIAL TRAIN AND WORLD'S FAIR

Statement of Operating Fund Income and Expense

From July 1, 1963 to September 30, 1964

		Operating Centennial Train	Fund World's Fair Pavilion
Income:			
Contributions:		\$ 82,825.81	
Grants:			
Montana Centennial Commission		85,000.00	
Montana Fish and Game Commission ..		52,984.10	
Train fares on tour		104,171.55	
Sales of merchandise	\$144,608.78		
Cost of merchandise sold:			
Purchases (note 2)	111,082.42		
Less inventory at September 30, 1964	10,050.14		
	<u>101,032.28</u>		
Gross profit on sales	\$ 43,576.50	6,213.57	37,362.93
Museum admissions		87,521.05	85,187.37
Concessionaire rental			23,083.46
Arcade receipts			17,161.57
Other		14,375.00	6,000.00
		<u>433,091.08</u>	<u>168,795.33</u>
Expenses:			
Railroad and pullman fares	193,313.95		
Hotel and meals on tour	67,241.24		
Salaries	32,860.52		46,886.85
Travel and per diem expenses	32,160.00		20,364.44
Payroll taxes			2,509.46
Rentals			24,292.49
Advertising and promotion			25,377.60
Utilities and telephone			19,621.35
Insurance			10,973.67
Maintenance			8,107.12
Repairs and replacements			2,443.18
Postage and freight			5,621.84

	Operating Centennial Train	Fund World's Fair Pavilion
Office supplies		5,597.55
Supplies and feed	5,522.75	2,880.79
Licenses, Fees and taxes		1,636.66
Miscellaneous	10,642.23	4,712.86
	<hr/> 341,740.69	<hr/> 181,025.86
Excess (deficiency) of income over expenses	<hr/> \$ 91,350.39	<hr/> (12,230.53)
Fund appropriation and transfer:		
Inter-activity transfer	(12,230.53)	12,230.53
Appropriation for Plant Fund	(79,119.86)	
	<hr/> \$(91,350.39)	<hr/> 12,230.53

See accompanying notes to financial statements.

CENTENNIAL TRAIN AND PAVILION

1. It will be the purpose of this section to go into some detail of certain activities concerning State Agencies participating in the Centennial Train and Pavilion at New York's World's Fair.

HIGHWAY AND FISH AND GAME FUNDS

2. Both the minutes of the Fish and Game Commission and the Highway Commission show that they were contacted for financial assistance in the promotion of the Train and Pavilion.

3. The Highway Commission, June 26, 1963, agreed to buy material and pay for the painting of the large murals which depicted scenes of Montana and which were to be placed on the outside of the train cars. They allotted thirty thousand dollars for this and stated that the murals would be labeled as the property of the Montana Highway Commission and that at the conclusion of the Fair they would be returned to the Commission who intended to then use them at ports of entry and throughout the state.

AUTHORIZING AGENCY

4. On October 7, as directed by the Governor and the Highway Commission, the State Advertising Department became the official authorizing and administrative agency for the Montana Centennial Train and the Montana World's Fair Centennial Exhibition during the years 1964 and 1965. The Highway auditing department at this time took over the accounting system, working in conjunction with the State Controller, in the handling of the finances of the long distance operation. Thus, the charges to the Highway Department for salaries of these men. It is the opinion of this Committee that this was a good move as it appeared that the earlier bookkeeping left much to be desired.

FISH AND GAME COMMISSION

5. On June 3, 1964, the Fish and Game Commission was contacted for financial support for a wildlife exhibit car and display building at the World's Fair as well as some personnel to work with this phase of the

Centennial. An agreement was drawn up and \$5,700.00 allotted for this purpose from the Fish and Game earmarked revenue account of the fiscal year 1962-63. Claims were to be paid as vouchers were submitted for those items chargeable directly to Fish and Game related participation (see attachment).

6. One such exhibit at the Fair was to be a fish pond. Now, let it be said here that all of the buildings to be erected at the Fair were first prefabricated here in Montana with some donated material from various firms and the balance purchased. The building to house the Fish Pond being one of these. A voucher was presented and paid in the amount of \$18,269.00, for such a fish pond building. However, when the building was erected at the Fair, it was found that the chlorine in the water was of such high content and the temperature much higher than expected, the expense of an adequate water purifier and cooler would have been prohibitive. It was then converted to be a part of the concession stand. The Fish and Game Commission were not appraised of this conversion, as they should have been, and credit allowed for this expenditure.

7. It is the opinion of this Committee that this did constitute a diversion of funds. We are also human enough to recognize that those in charge were faced with a decision of salvaging the building intended for one use by putting it to another use. There was testimony given that the purifier-cooler would have cost about \$30,000.00, installed, New York prices.

8. The Department was also asked to furnish personnel to accompany the exhibit on tour, thus the \$3,000.00 for three men, plus \$1,000.00 for men on temporary duty at the Fair.

9. The Committee feels that the Commission did over extend itself in this venture. However, this situation cannot repeat itself, as under present legislative budgeting procedure no funds can be spent unless budgeted for. We feel this is an advantage to the Commission in that it would relieve them of such a situation in the future. As a part of the agreement, the wildlife exhibit is the property of the Commission and if there was any profit they were to be reimbursed for their other participation.

10. The State Planning Board and the State Advertising Department both participated by sponsoring three persons each as guards during the train tour, at a cost of \$3,000.00 each to these agencies.

SALARIES

11. There was considerable interest in salaries paid to those who worked at the Fair. We offer the following information. It was operated with almost 100% Montana people, many of whom worked for various periods at no salary. They opened with a staff of eighteen people, but the normal number of persons needed to adequately staff the operation was thirty-three. Three persons received salaries of \$500.00 per month. Personnel manager, \$400.00. Secretaries, \$375.00. Expeditor and merchandiser, \$300.00. Temporary help, \$200.00, plus board and room, stayed either on the train or in large rented house. Those who donated their time were given board and room or subsistence.

WHY THE FAIR?

12. It was brought out that the main reason for going into the Fair was due to the many concessions made by the management of the Fair to have Montana as a part of the exhibit and through the help of Gen. Potter, Assistant Manager.

13. After hearing the testimony of those who undertook this venture we cannot help but admire them for the Herculean undertaking which they took upon themselves in behalf of Montana in carrying the story to a new area.

14. Many have questioned the propriety of such a broad venture on such limited capital, or the return to Montana for the expenditures made. This committee does not feel capable of making such an appraisal. However, some of those who made the twenty-two state tour, would tell you that it was probably the greatest advertisement for the State that has ever been made.

15. There was an attempt at the Fair to make such an appraisal comparing it to exposure of a market commodity. Burrell's Clipping Service projected about 22,500 column inches, equal to about \$56,250.00. Trade and Livestock Magazines, 43,700. Total press exposure, \$100,000.00. The big Montana sign exposure to 27.1 million Fair goers; 200,000 daily commuters who pass it. It has been estimated by J. Walter Thompson, Inc., New York Advertising Firm that this type of outdoor advertising located in the Times Square area or an area which would reach as many people would cost ten to fifteen thousand dollars per month, or \$60,000 to \$90,000 for the six-month period of the 1964 Fair season. Further, it is evaluated by Market Research that such an exposure of a hard commodity or market commodity would bring a million or a million and a half dollar return. Our value, \$75,000. Received some \$2,500,000 worth of free television time; radio \$2,000; motion pictures \$50,000; the exhibit itself \$2,500,000. And those close to the show felt the ninety some Montanans who were a part of the exposition were the greatest asset of all, they conclude that in advertising media, all this would be comparable in excess of five million dollars of advertising. Here again the committee has no scale to convert this to tourism for Montana.

15. The Montana Pavilion was visited by more than 1¼ million people. At this number, 320,000 entered the buildings or cars at various points, and of this group 171,000 paid admissions to see the museum. Again it would be difficult to judge the results in the years to come. From inquiries now being received by the State Advertising Department, it is evident that a completely new area of interest has been opened up by the tour and Fair exhibit.

BACK TO MONTANA

16. To say the Centennial was fully celebrated in Montana would be an understatement. Every community participated, with many plaudits to be passed out in many directions to thousands of voluntary givers of time, talents and resources. However, the thing which stands out in the minds of this committee, as we look at the record, is the deficit of one-hundred-thousand dollars accounted to the "Montana Story". We realize that it is easy to review with alarm, or to estimate the hidden values to the citizens of the various communities where the production was staged. It does appear though, from the projections made before it was entered into, that at best, it could only hope to be financially sound. Of course, with some bad weather, this chance was lessened.

17. Another regrettable feature was that our Centennial did fall on a general election year and for obvious reasons did get into the political arena.

18. In conclusion, the Centennial Commission feels confident that by disposing of merchandise on hand at cost, they can cover their liabilities and close out this account by mid-summer.

19. The Centennial Train and Pavilion also are confident that given a good season, can recoup on the investment made and overcome a rather poor season, which all exhibits experienced last year.

20. May the people of Montana in the year 2064 reflect upon this celebration, avoid our mistakes, profit from our triumphs and enlarge on the Story of Montana.

Respectfully submitted,

MANSON H. BAILEY, Chairman /s/
FRED W. SCHEPENS /s/
RICHARD A. NUTTING /s/

Report adopted.

CONFERENCE COMMITTEE REPORT

March 3, 1965

Mr. President and Mr. Speaker:

We, your joint Senate and House conference committee on House Bill No. 280, beg leave to report as follows:

That we met this day and considered the Senate amendment to House Bill No. 280, and recommend that the same be adopted.

SENATE:

W. E. HARRIS, M. D. /s/

JOHN MacDONALD /s/

BEN BROWNFIELD /s/

HOUSE:

THOMAS JUDGE /s/

STEPHEN J. SHUGRUE /s/

MILLO JENSEN /s/

The Conference Committee report on House Bill No. 280 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cеровski, Christiansen, Cregg, Crum, Cummings, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Williams, Willits, Woodward, Zimmer, Mr. Speaker. Total 83.

Noes: Ulmer, Watt. Total 2.

Absent or not voting: Bashor, Delano, Garrison, Lund, O'Leary. Total 5.

Excused: Felt, Gerke, Gilligan, Laas. Total 4.

MESSAGES FROM THE GOVERNOR

March 2, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bill No. 199 do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 3:55 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

March 2, 1965 at 3:55 p.m.

Received of Chairman, Bills Committee, Warren Harper, House Bill No. 199.

TIM BABCOCK, Governor,

By Lucille M. Baker.

March 1, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 70—Introduced by Bailey, McDonald, Rygg, O'Hair, et al.

House Bill No. 75—Introduced by Highways Committee.

House Bill No. 123—Introduced by Cummings, Watt, Cerovski.

House Bill No. 124—Introduced by Cummings, Watt, Cerovski.

House Bill No. 226—Introduced by Rehberg, Lund, Pierce, Gerke, et al.

House Bill No. 233—Introduced by Woodard, Rehberg, James.

House Bill No. 294—Introduced by Bashor and Eskildsen.

House Bill No. 296—Introduced by Bashor, Eskildsen and Schye.

House Bill No. 445—Introduced by Bardanouve.

Sincerely yours,

TIM BABCOCK, Governor.

March 2, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 246—Introduced by Bailey, Tracy, Pierce, Dye, Loman, Judge.

House Joint Resolution No. 34—Introduced by Slaby, Johnson, Gilligan, et al.

House Joint Resolution No. 38—Introduced by Sheehy, Gerke, O'Leary, et al.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

March 2, 1965

Mr. Speaker:

The President this day appointed the following Conference Committees:

Senate Amendments to House Bill No. 280—Senator Harris, Senator MacDonald, Senator Brownfield.

Senate Amendments to House Bill No. 407—Senator Groff, Senator Cumming, Senator Mackay.

Senate Amendments to House Bill No. 517—Senator Thiessen, Senator Cumming, Senator Turnage.

Respectfully yours,

ALLEN DONOHUE,
Secretary of the Senate.

March 2, 1965

Mr. Speaker:

The Senate this day, on roll call vote, approved the Joint Conference Committee reports on Senate Amendments to House Bill No. 49 and House Amendments to Senate Bill No. 7.

Respectfully yours,

ALLEN, DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by McDonald that House Bill No. 102 be taken from Second Reading and be rereferred to the Committee on Appropriations for further study. Motion carried.

Motion was made by Sheehy that a Special Order of Business be set by the Speaker and that House Bills 88, 115, 515, 516, 518, and 521 be placed on the board for argument and votes in such special order of business; that the result of such votes be spread on the Journal; and that the rule requiring printing of such bills be suspended.

Aasheim amended the motion to include House Resolutions Nos. 18 and 19. Motion carried, as amended.

Motion was made by Felt that further consideration of House Bill No. 385 be indefinitely postponed. Motion carried.

Felt, having voted on the prevailing side, moved that the House reconsider its action in concurring to Senate Amendments to House Bill No. 230 and that a Conference Committee be appointed by the Speaker, and that we request the Senate to appoint a like committee for further consideration of the amendments to that bill. Motion carried.

Motion was made by Cerovski that the House be on Order of Business No. 9. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 34 was passed by the following vote:

Ayes: Aasheim, Bailey, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Eklund, Eskildsen, Fischer, Flynn, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Lewis, Lombardi, McDonald, Meccage, Nefzger, Nelson, Obstarczyk, O'Hair, Prevost, Sartz, Schepens, Scherf, Schye, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Zimmer, Mr. Speaker. Total 47.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Delano, East, Falkenstern, Felt, Haines, James, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Nutting, Pierce, Rehberg, Rygg, Selstad, Sheehy, Swanz, Ulmer, Williams, Woodard. Total 29.

Absent or not voting: Atkins, Crum, Garrison, Gilfeather, Gill, Judge, McNamara, O'Leary, Willits. Total 9.

Excused: Bardanouve, Bollinger, Egan, Gerke, Gilligan, Laas, Nichols, Raundal, Spilde. Total 9.

House Bill No. 520 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Casey, Mather, Williams. Total 3.

Absent or not voting: Judge, McNamara, O'Leary, Willits. Total 4.

Excused: Egan, Gerke, Gilligan, Laas, Nichols, Raundal, Spilde. Total 7.

House Bill No. 5 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Christiansen, Cregg, Crum, Delano, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gill, Haines, Hall, Hanks, Healy, James, Jenkins, Jensen, Johnson, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, Pierce, Rehberg, Rygg, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 65.

Noes: Aasheim, Atkins, Brenner, Cerovski, Cummings, Deschamps, Garrison, Gilfeather, Gunderson, Harper, Holtz, Lombardi, O'Hair, Prevost, Sartz, Schepens, Scherf, Smith. Total 18.

Absent or not voting: Judge, McNamara, O'Leary, Willits. Total 4.

Excused: Egan, Gerke, Gilligan, Laas, Nichols, Raundal, Spilde. Total 7.

House Bill No. 4 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Brenner, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Felt, Fischer, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 74.

Noes: Atkins, Bashor, Boughton, Cerovski, Falkenstern, Flynn, Smith, Willits. Total 8.

Absent or not voting: Garrison, Judge, Lucas, McNamara, O'Leary. Total 5.

Excused: Egan, Gerke, Gilligan, Laas, Nichols, Raundal, Spilde. Total 7.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 43 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Hall, Hanks, Harper, Healy, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: Haines, Holtz, Loman. Total 3.

Absent or not voting: McNamara, O'Leary. Total 2.

Excused: Egan, Gerke, Gilligan, Laas, Nichols, Raundal, Spilde. Total 7.

SENATE BILL NO. 43
INTRODUCED BY HIBBARD, CUMMING.

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO THE CONSTITUTION OF MONTANA BY ADDING A NEW SECTION TO PROVIDE FOR THE CONTINUITY OF STATE AND LOCAL GOVERNMENTS IN A PERIOD OF EMERGENCY CAUSED BY ENEMY ATTACK NOTWITHSTANDING OTHER CONSTITUTIONAL PROVISIONS."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. A new section is added to the Constitution of the State of Montana to read as follows:

"Section The Legislative Assembly in order to insure continuity of state and local governmental operations in a period of emergency resulting from a disaster caused by enemy attack may enact laws:

(1) To provide for prompt and temporary succession to the powers and duties of elected and appointed public officers who are killed or incapacitated.

(2) To adopt other measures that may be necessary to insure the continuity of governmental operations.

Such laws shall be effective only during the emergency that affects a particular office or governmental operation, and such laws may deviate from other provisions of the Montana constitution, including but not limited to the following sections:

- (1) Section 3, Article X, seat of state government.
- (2) Section 2, Article XVI, seat of county governments.
- (3) Section 16, Article VII, succession to Governor.
- (4) Section 4, Article XVI, vacancy on Board of County Commissioners.
- (5) Section 6, Article XVI, other vacancies in county government.
- (6) Section 45, Article V, vacancies in Legislative Assembly.
- (7) Section 11, Article VII, special legislative sessions.
- (8) Section 5, Article V, length of legislative session.
- (9) Section 10, Article V, quorum to do business in each house.
- (10) Section 6, Article XIX, location of county offices.
- (11) Section 1, Article VII, duties of executive officers of state.
- (12) Section 7, Article VII, appointments by Governor."

Section 2. When this amendment is submitted to the electors of the State of Montana as provided by law, there shall be printed on the ballot the full title and the first section of this act and the following words:

☐ For the above amendment.

☐ Against the above amendment."

Senate Bill No. 119 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Bashor, Boughton, Garrison, Schye, Smith. Total 5.

Absent or not voting: McNamara, O'Leary. Total 2.

Excused: Egan, Gerke, Gilligan, Laas, Nichols, Raundal, Spilde. Total 7.

CONFERENCE COMMITTEE APPOINTMENT

The following Conference Committee was appointed by the Speaker to confer with a like committee from the Senate on House Bill No. 77: Healy, Laas, MacCalman.

Motion was made by Cerovski that the House revert to Order of Business No. 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

McNamer of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 3 be amended in the title by striking out in line 8 the figures "81-201".

And amend by deleting Section 32 in its entirety and renumbering the following sections accordingly.

And amend by adding a new section to be numbered as Section 35 as follows:

"Section 35. This act shall not apply to the funds and resources of the Teachers Retirement System (Sections 75-2701 to 75-2716, inclusive, R. C. M., 1947) nor to the Public Employees Retirement System (Sections 68-101 to 68-1320, inclusive, R. C. M. 1947)".

And renumber the following sections accordingly.

And as so amended, do pass.

That Senate Amendments to House Bill No. 9 be not concurred in but that the Speaker appoint a Conference Committee of three to meet with a like committee from the Senate to confer on the matter.

That Senate Amendments to House Bill No. 100 be concurred in.

That Senate Bill No. 51 be moved to the bottom of the list.

That Senate Joint Resolution No. 9 be concurred in.

That House Bill No. 208 do pass.

That House Bill No. 514 do pass.

That House Bill No. 346 be amended by deleting in Section 5, line 1 of the printed bill the word "five" and inserting in lieu thereof the words "three",

And as so amended, do pass.

That the committee rise and report.

Report adopted.

McNAMER, Chairman.

March 3, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 427.

HARPER, Chairman.

March 3, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 147, 92, 384, 290, 354, 243, 311, 236, 405, 477, 402, 189, 469, 386, 397, 317, 37, 256, 333, 283 and Senate Substitute for House Bill No. 495.

HARPER, Chairman.

March 3, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 56 and 91.

HARPER, Chairman.

I have examined House Bill No. 91 introduced by me and find the same to be correct.

AASHEIM.

I have examined House Bill No. 56 introduced by me and find the same to be correct.

FLYNN.

I have examined House Bill No. 427 introduced by me and find the same to be correct.

WATT.

I have examined House Bill No. 147 introduced by me and find the same to be correct.

JUDGE.

I have examined House Bill No. 92 introduced by me and find the same to be correct.

AASHEIM.

I have examined House Bill No. 384 introduced by me and find the same to be correct.

REHBERG.

I have examined House Bill No. 290 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 354 introduced by me and find the same to be correct.

ESKILDSSEN.

I have examined House Bill No. 243 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 34 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 236 introduced by me and find the same to be correct.

SHEEHY.

I have examined Senate Substitute for House Bill No. 495 introduced by me and find the same to be correct.

MATHER.

I have examined House Bill No. 405 introduced by me and find the same to be correct.

SWANZ.

I have examined House Bill No. 477 introduced by me and find the same to be correct.

FLYNN.

I have examined House Bill No. 402 introduced by me and find the same to be correct.

FLYNN.

I have examined House Bill No. 189 introduced by me and find the same to be correct.

HANKS.

I have examined House Bill No. 469 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 386 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 283 introduced by me and find the same to be correct.

GARRISON.

I have examined House Bill No. 333 introduced by me and find the same to be correct.

HARPER.

I have examined House Bill No. 256 introduced by me and find the same to be correct.

DESCHAMPS.

I have examined House Bill No. 37 introduced by me and find the same to be correct.

LUCAS.

I have examined House Bill No. 317 introduced by me and find the same to be correct.

SCHEPENS.

I have examined House Bill No. 397 introduced by me and find the same to be correct.

HALL.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 91, 56, 427, 147, 92, 384, 290, 354, 243, 311, 236, Senate Substitute for House Bill No. 495, House Bills Nos. 405, 477, 402, 189, 469, 386, 283, 333, 256, 37, 317, 397.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 230: Sheehy, Sullivan, Felt.

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to Senate Bill No. 9: Lombardi, Slaby, Mather.

UNFINISHED BUSINESS

The Speaker announced that the Special Order of Business on the hearing of Reapportionment Bills be scheduled for 11:00 a.m. Thursday, March 4, 1965.

The Chief Clerk announced that all committee chairmen are requested to have all the minutes for all meetings turned in to the Chief Clerk's office by tomorrow evening at 6:00 p.m.

Motion was made by Cerovski that the House recess until 2:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed: Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 9, respectfully report as follows: That House Resolution No. 9 do pass.

JUDGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations having had under consideration Senate Bill No. 207 respectfully report as follows: That Senate Bill No. 207 be not concurred in.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 434 respectfully report as follows: That House Bill No. 434 be amended as follows:

Amend Section 10 in line 22, page 3 of the original bill being line 24, page 3 of the printed bill by striking the figure "\$10,000.00" and inserting in lieu thereof the figure "\$8,400.00".

Further amend Section 10, line 24, page 3 of the original bill being line 25, page 3 of the printed bill by striking the figures "\$14,160.00" and "\$14,580.00" and inserting in lieu thereof the figures "\$10,000.00" and "\$10,000.00".

Further amend Section 10, line 30, page 3 of the original bill being line 28, page 4 of the printed bill by striking the figure "\$10,000.00" and inserting in lieu thereof the figure "\$5,000.00".

Further amend Section 10, line 12, page 4 of the original bill, being line 35, page 4 of the printed bill by striking the figure "\$10,000.00" and inserting in lieu thereof the figure "\$5,000.00".

And as so amended be referred to Second Reading without recommendation.

BARDANOUE, Chairman.

Report adopted.

CONFERENCE COMMITTEE REPORT

March 3, 1965

To the President of the Senate and the Speaker of the House:

We, your Conference Committee, having had under consideration the amendments to Senate Bill No. 26, beg leave to report:

We, your Conference Committee, respectfully recommend that the House recede from all of the House amendments to S.B. 26 and that subsection 2 of Section 1, lines 22 to 29 inclusive, page 1 of the printed bill, being lines 3 to 11 inclusive, page 2, of the original bill, be deleted in its entirety and the following be inserted in lieu thereof:

"2. The Superintendent of Public Instruction, in accordance with Section 75-2516 and upon request of a Board of Trustees, may issue a Class 5 Provisional certificate to a person who is not a citizen."

And, as amended, be adopted.

For the Senate:

COTTON, Chairman /s/
McGOWAN /s/
MATHERS /s/

For the House:

WATT /s/
GUNDERSON /s/
CRUM /s/

Conference Committee Report on Senate Amendments to Senate Bill No. 26 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanoue, Bollinger, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Cummings, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Flynn, Garrison, Gilfeather, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Loman, Lombardi, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Schye, Selstad, Sheehy, Shugrue, Slaby, Smith, Stranahan, Sullivan, Swanz, Tracy, Twedt, Watt, Williams, Woodard. Total 68.

Noes: None.

Absent or not voting: Bashor, Boughton, Christiansen, Delano, Egan, Felt, Fischer, Gill, Harper, Jenkins, Lucas, Nichols, Obstarczyk, O'Leary, Raundal, Schepens, Scherf, Smiley, Spilde, Tooke, Ulmer, Willits, Zimmer. Total 23.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

March 3, 1965

To the President of the Senate and the Speaker of the House:

We, your Joint Committee appointed to consider proposals for study by the legislative council, respectfully recommend that the legislative council undertake the following projects during the 1965-66 interim:

1. Prepare a report on the management of state moneys held outside the treasury, based on a comprehensive inventory prepared by the State Controller and Budget Director, as provided in House Joint Resolution No. 1.

2. Review and recommend a revision of laws relating to the State Board of Health, as provided in House Joint Resolution No. 2.

3. Review, recodify, clarify and suggest improvements to the Montana fire code, as provided in House Joint Resolution No. 12.

4. Study the operation, effectiveness and powers of the legislative branch of government, but limit such study to interim legislative fiscal analysis and budget review, as provided in House Joint Resolution No. 18.

5. Conduct a comprehensive study of retirement systems for policemen and firemen in the state, as provided in Senate Joint Resolution No. 1.

6. Revise the state school laws, if sufficient moneys are made available, as provided in Senate Joint Resolution No. 2.

7. Study the existing tax structure, estimated revenue from various types of taxation, the needs for new state revenue, and the effects on the Montana economy of the various revenue sources, as provided in Senate Joint Resolution No. 9.

8. Study the feasibility and desirability of consolidating the administrative functions of professional and occupational licensing boards, as provided in Senate Joint Resolution No. 12.

9. Study water conservancy districts, as provided in Senate Joint Resolution No. 13.

For the Senate:

EUGENE MAHONEY, Chairman s/
GROFF /s/
MORITZ /s/

For the House:

VIRGIL HANKS /s/
ASBJORNSON /s/
C. R. FISCHER /s/

Report adopted.

March 3, 1965

To the President of the Senate and Speaker of the House:

We, your Conference Committee on Senate Finance and Claims Committee Amendment to House Bill 407, respectfully report as follows: That Senate Finance and Claims Committee Amendment to House Bill 407 be stricken in its entirety and the following amendment be made:

House Bill No. 407 be amended in Section 1, page 2, lines 16 and 17 of the original bill, being Section 1, page 2, line 32 of the printed bill by deleting the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the following words and figures "ninety dollars (\$90.00)", and

Be amended in Section 1, page 2, line 20 of the original bill, being Section 1, page 2, lines 35 and 36 of the printed bill by deleting the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the following words and figures "ninety dollars (\$90.00)", and

Be amended in Section 1, page 2, line 24 of the original bill, being Section 1, page 2, line 39 of the printed bill by deleting the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the following words and figures "ninety dollars (\$90.00)", and

Be amended in Section 2, page 3, line 7, of the original bill, being Section 2, page 3, line 11 of the printed bill by deleting the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the following words and figures "ninety dollars (\$90.00)", and

Be amended in Section 3, page 3, line 24 of the original bill, being Section 3, page 3, line 12 of the printed bill by deleting the words and

figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the following words and figures "ninety dollars (\$90.00)".

And as so amended, be adopted.

For the Senate:

GROFF /s/
MACKAY /s/
CUMMING /s/

For the House:

TRACY /s/
ATKINS /s/
NELSON /s/

Report adopted.

Conference Committee Report on House Bill No. 407 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanoue, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Cummings, Deschamps, Dye, East, Eklund, Eskildsen, Falkenstern, Flynn, Garrison, Gilfeather, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Rehberg, Rygg, Sartz, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard. Total 71.

Noes: None.

Absent or not voting: Bashor, Christiansen, Delano, Egan, Felt, Fischer, Gill, Harper, Jenkins, Jensen, Loman, Nichols, O'Leary, Raundal, Schepens, Scherf, Schye, Spilde, Tooke, Zimmer. Total 20.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

MESSAGES FROM THE GOVERNOR

March 3, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 95.

House Bill No. 175.

House Bill No. 178.

House Bill No. 194.

House Bill No. 295.

Sincerely yours,

TIM BABCOCK, Governor.

March 3, 1965

Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana
President of the Senate
39th Legislative Assembly
State Capitol
Helena, Montana

Gentlemen:

I am returning H. B. 71 without approval, primarily for the reasons I set forth in my public statement of February 25, 1965, in which I objected to the compulsory arbitration aspects of the bill.

A law which makes it compulsory to arbitrate all unsettled issues between employers and employees is contrary to principles of free bargaining in our nation. To make it even worse, Section 9 would impose a compulsory finding between two parties by a third party. In Montana, no other employees or employers are required by Montana law to follow such a prescribed routine in the field of labor negotiation.

Required procedure in collective bargaining would destroy the freedom of action now enjoyed by both nurses and hospitals to work out their differences without compulsion.

I point out, respectfully, that no group requires legislative authority to bargain collectively.

Nurses are a devoted and respected professional group and recently were given official status as "professional" by H. B. 177 which I signed into law.

Statewide interest in the Nurses' Bill indicates to all of us that there evidently is room for new consideration to be given the nursing profession in Montana. There is no question but that discussions of the Nurses' Bill have served a useful purpose.

Sincerely yours,

TIM BABCOCK, Governor.

The Governor's veto on House Bill No. 71 was sustained by the following vote, since two-thirds vote is required to overcome the veto:

Ayes: Asbjornson, Broeder, Casey, Crum, Delano, Dye, East, Egan, Falkenstern, Felt, Fischer, Garrison, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, McOmber, Nelson, Nichols, Nutting, O'Leary, Pierce, Rehberg, Rygg, Schye, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Ulmer, Williams, Woodard. Total 40.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Christiansen, Cregg, Cummings, Deschamps, Eklund, Eskildsen, Flynn, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, Meccage, Nefzger, Obstarczyk, O'Hair, Prevost, Raundal, Sartz, Scherf, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 45.

Paired: Boughton, yes; Cerovski, no.

Absent or not voting: Harper, Schepens, Sheehy, Tooke. Total 4.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

MESSAGES FROM THE SENATE

March 3, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 4, introduced by Watt, et al., failed to be concurred in on third reading this day and is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 3, 1965

Mr. Speaker:

The Senate this day, on roll call vote adopted the Joint Conference Committee reports on the following:

Senate Amendment to House Bill No. 280.

Senate Amendment to House Bill No. 407.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 3, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 176, introduced by Aasheim.

House Bill No. 326, introduced by Twedt and Slaby.

House Joint Resolution No. 23, introduced by Cerovski and Raundal.

House Joint Resolution No. 27, introduced by Willits, et al.

House Joint Resolution No. 37, introduced by Hall, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 3, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended that further action be indefinitely postponed by the Senate Committee of the Whole, reports adopted, and the same are herewith returned to the House:

House Joint Resolution No. 33, introduced by Gerke and Mather.

House Joint Resolution No. 35, introduced by Slaby, et al.

House Joint Resolution No. 24, introduced by Judge, et al.

House Joint Resolution No. 10, introduced by Flynn and Deschamps.

House Joint Resolution No. 36, introduced by Bardanouve.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House revert to Order of Business No. 3. Motion carried.

REPORTS OF SELECT COMMITTEES

REPORT OF SELECT COMMITTEE OF THE HOUSE OF REPRESENTATIVES IN THE THIRTY-NINTH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA APPOINTED FOR THE PURPOSE OF INVESTIGATING MATTERS RELATING TO THE FISH AND GAME DEPARTMENT

* * * * *

Respectfully submitted

by

MEMBERS OF THE COMMITTEE

Henry L. Gill, Chairman

Manson H. Bailey, Jr., Vice-Chairman

Thomas P. Tracy

L. V. Jenkins, Jr.

William H. Zimmer

Carl M. Smith

C. R. Fischer

Gene Spilde

Barry J. O'Leary

John L. Delano

Kermit C. Sullivan

Richard D. Tooke

E. W. Christiansen

Bert D. Boughton

Arthur Atkins

* * * * *

Mr. Speaker and Members of the House of Representatives:

1. Come now the members of the select committee, appointed for the purpose of investigating matters relating to the Fish and Game Department of the State of Montana, and respectively report as follows:

APPOINTMENT OF THE COMMITTEE

2. At the outset of the 39th Legislative Assembly the Speaker, in accordance with practice, appointed the members of the House Committee on Fish and Game. After the committee was organized it became apparent from discussions among members of the committee, and from communications from the citizens of the State of Montana, that there were charges and inferences being made relating to the Fish and Game Commission that required special investigation for determination by the Legislature.

3. Accordingly, on the sixteen (16th) Legislative Day, Mr. Gill, Chairman of the Standing Committee, moved that the Speaker appoint a select committee of fifteen members for the purpose of investigating the Fish and Game Commission and the Fish and Game Department and charges made against the said Commission and Department. The motion carried without dissenting vote and thereupon the Speaker appointed a select committee for the investigation, the members of which were identical to the standing House Committee on Fish and Game.

4. The Committee members acting as a select committee proceeded thereupon to conduct public hearings, to take the testimony of witnesses and to make field investigations relating to the subjects in question.

5. Based upon such public hearings, voluntary testimony, documents and records of the Fish and Game Commission and the field trips made by the members of the select committee, the members herewith report their findings and conclusions.

AREAS OF INVESTIGATION

6. It soon became apparent to the committee that the problems, charges and inferences being voiced about the department had reference principally to the following:

- a. The management of the elk herd in the Sun River area.
- b. The management of the elk herd in the Gallatin area.
- c. The apparent lack of agreement and unity among the members of the Fish and Game Commission.
- d. The expenditures made in connection with the Montana Centennial Commission.

SUN RIVER AREA

7. The problems relating to the elk herd in the Sun River area are not new. Originally they stemmed from an over-abundance of elk which caused the local farmers and ranchers to undertake a program of positive action to reduce the numbers of the elk herd, even to the point of advertising for machine gunners. The Legislature acted to establish a legislative preserve in the area. The Department, through acquisition, acquired some twenty thousand (20,000) acres for use as a management area, and to relieve the pressure on private lands during the winter. Over the years there has grown in and around the area an industry related to ranching but tied directly into the business of providing packers and guides for out-of-state and local hunters in the area. The growth of this industry has brought with it a watchfulness on the part of the packers and guides, in that area, on the policies and programs of the Fish and Game Department in the management of the elk herd.

8. It is, and has been, the avowed policy of the Fish and Game Department to so manage the elk herd so as to keep its number consistent with the available forage and a suitable harvest for hunters.

9. Because, however, the local packers and guides and some local sportsmen have an economic interest in the management of the herd, there are occasions when the management policies of the Fish and Game Department collide with the desires of the local interests.

10. There has arisen, over the years, disputes between some of the local groups of sportsmen and the Fish and Game Division on management policies relating mainly to these questions:

- a. The actual number of elk in the area.
- b. The proper number of the base herd that the area can suitably maintain.
- c. The times and dates of hunting seasons.

11. During the investigation, charges were also made that the department was not responsive to the suggestions and desires of the local sportsmen.

12. In investigating these facets of the management policy of the Fish and Game Department, the committee called in for testimony two principal witnesses that the committee had learned from its public hearing were most active in opposing the management policies of the Fish and Game Department in the Sun River area.

13. In summary, it appeared from the testimony of these principal witnesses that they had prepared, or caused to be prepared, a proposed management policy for the Sun River elk herd, to come into effect in 1965. Their proposal was different in some details from the management proposal of the Fish and Game Department, especially with respect to the amount of harvest, season dates, and certain range management proposals.

14. It should be pointed out the evidence indicates that these same groups, acting through a sportsmen's organization, had in previous years brought pressure to bear upon the commission in respect to these management policies. Your committee finds, from a study of the records and correspondence in the years 1962 through 1964, that the Fish and Game Department did accede, in many important areas, to the desires of this group. The record further indicates to the committee that the department in the latter part of 1964 and in 1965 is showing a tendency to resist complete acquiescence in these demands, and is now basing its management policy of this herd upon its own findings as to the number of elk, its biological studies, and the possible harvest of the herd based upon its best estimates of reproduction.

15. The Sun River area has within it a legislative preserve which compounds some of the difficulties there. A legislative preserve cannot be suitably managed by the Fish and Game Department. It is inaccessible to hunters and it has the effect of reducing the total manageable area, as it relates to the Sun River herd.

16. The committee also heard testimony that the range was not being properly managed by the Fish and Game Department. Principally, the contentions were that certain portions of the range land were being overgrazed while other portions were not properly grazed. It was contended that a hay crop should be taken from certain bottom lands. The committee, however, did not find sufficient credible evidence to sustain these charges.

17. The committee also heard charges that there was hazing of the elk herd by aircraft and that the elk herd was being subjected to continual penning, testing, banding, and marking, to the detriment of the herd. The committee finds that herding and testing are necessary procedures and the results outweigh the disadvantages.

18. There was an additional charge made that the cost per animal harvested was unjustifiable at the present time. This contention, however, is made upon value assigned to land, which are questionable, and overlooks the public benefit that results from department ownership of lands available to the public and usable in managing the herd which are as important considerations as the number of elk taken by hunters.

CONCLUSIONS RELATING TO THE SUN RIVER AREA

19. Your committee submits the following conclusions relating to the Sun River area:

a. Over-all management of the area would improve if the legislative preserve were eliminated.

b. There is a need for liaison and greater public information between the Fish and Game Commission and the public generally, but especially the sportsmen's groups in the area where involved. The committee found that the department was honestly endeavoring to manage the elk herd in a suitable manner, but that the public had not been very informed on the facets of its management policy.

c. Your committee feels that every considerate attention should be given to suggestions of sportsmen from the local areas, particularly where they have special knowledge relating to the area and the elk herd. The desires of local persons, however, must be coordinated with the principles of sound management by the department. Your committee finds that at the present time, the Fish and Game Department is adding personnel in the respective areas for the purpose of correlating recommendations by local qualified sportsmen with the policies of the department.

d. The decisions of the Fish and Game Department with respect to the time and length of season and the number of elk to be harvested are matters of discretion, upon which there can be valid differences of opinion, but that the wiser course is to allow the Fish and Game Commission to exercise its discretion in these fields.

THE GALLATIN AREA ELK HERD

20. The problem of the Gallatin area elk herd involves not only the Fish and Game Commission but policies of the Yellowstone Park Service and the U. S. Forest Service in that area.

21. The elk herd in Yellowstone Park migrate in the winter out into the Montana area, seeking forage. In the summertime, however, they forage in Yellowstone Park. Their increasing numbers have caused pressure on the park area, resulting in overgrazing there, and some migration out of the park by the elk herd into the surrounding area to obtain forage.

22. The problems that the committee found with respect to the Gallatin elk herd are nearly the same as in the case of the Sun River elk herd. There are disputes existing between the department and a certain minority group with economic interest in the Gallatin area as to the number of elk that may be harvested there, the times and lengths of the seasons, and the areas which should be opened to hunting. There was also disagreement as to the number of the elk now present in that available herd and the number that the base herd ought to be. The committee found again that in the years 1962 through 1964 the department acceded in large measure to the pressures of these groups as to the settings of the seasons.

23. With respect to the seasons, the local group was seeking an earlier hunting season than the department established. In some instances in 1962 through 1964, the department complied with these requests. However, in 1965, it has proposed a new management plan in the area which sets a later season in the area and has other important differences from the management policies espoused by the local groups.

24. In the Gallatin area there is no legislative preserve. There is, however, an administrative preserve against the boundary of Yellowstone Park. A bill was introduced in this assembly to make this area permanent as a legislative preserve. This would have the effect, however, of precluding proper management of the elk herd. The bill failed in the House.

25. In the Park itself, the Yellowstone Park Service has found it necessary to reduce numbers of the herd. This has been done in the past by trapping, or by having the park rangers kill some of the elk. This has given rise to considerable criticism by some of the local public. It is a matter, however, over which neither the Fish and Game Department or this committee has any power of decision.

26. There was contention before the committee that there was friction between the policies of the Yellowstone Park Service, the United States Forest Service, and the Fish and Game Department. Your committee found no credible evidence to sustain these contentions.

CONCLUSIONS RELATING TO THE GALLATIN AREA ELK HERD

a. The Fish and Game Department did accede in some years to the pressures and desires of local group. Conforming to these pressures does not always result in good management of the elk herd.

b. The principal impetus for criticism against the policies of the Fish and Game Commission in this area came from a minority group with an economic interest. Some of the local sportsmen also joined in this criticism.

c. Again, there is a need in this area for a liaison between the Fish and Game Department and the local sportsmen's groups, and the public should have more information on department policies in the area. The department has added personnel for this purpose.

d. In late 1964, the Fish and Game Department adopted a management plan for this area which is contrary in some major respects from the proposed plan of the local groups. It is too early to determine whether

the Department's policy will result in better management. It appears however, again to be a matter of discretion upon which there can be valid difference of opinion. In such case it is the opinion of the committee that the wiser course is to let the Fish and Game Department make such determination which can be modified as experience indicates.

e. There is no valid reason now for a legislative preserve in this area because it would reduce the manageable area of the Gallatin elk herd.

DISSENSION ON THE COMMISSION

28. The Fish and Game Commission is composed of five commissioners, each from one of five districts established within the state and each appointed by the Governor. They serve four-year terms which are arranged to overlap.

29. Press reports in the past year have indicated that there was a problem of dissension within the Commission with respect to its policies. The members of the committee were aware of this problem from the press reports and are more aware now, since the conduct of this investigation.

30. On October 15, 1964, an article appeared in the Choteau Acantha, a newspaper published in Choteau, Montana, in which article one of the present commissioners was quoted making certain charges against the Commission and its personnel. The newspaper article stated that this Commission member felt that the Department was not revealing all of the facts to the public relating to the management of the Sun River herd and that the Fish and Game Commission "tells the people only the facts it wants them to know." The article further charged that the hen pheasant season was harmful to the pheasant population and that he was opposed to such season. The article further intimated that this commissioner felt that department personnel, trained in wildlife management, were doing a poor job. And, finally, the article indicated that the commissioner did not agree with the Fish and Game Department's estimates of the elk population in the Sun River herd.

31. On November 18, 1964, following the newspaper article which was picked up by the press wire services and circulated broadly through the state, the Commission went into executive session and adopted a motion of censure of the commissioner, "for violation of Commission policy and the casting of unfounded reflections on the honesty and integrity of the department personnel." The censure motion also required that future statements in disagreement with Commission policy "be discussed in Commission meetings only."

32. During its investigation the committee heard testimony from two witnesses, one of whom was a member of this committee, that the same member of the Fish and Game Commission had made statements in the month of January, 1965, reflecting on the honesty and integrity of department personnel and attacking the policies of the Fish and Game Commission. This testimony was given in the presence of the Commission member.

33. During this investigation the same commissioner was invited to testify and he did testify. He stated in his testimony that he had been misquoted in the Choteau Acantha. He also testified that he had made no attempt to withdraw the statements attributed to him in the article. He categorically denied that he had any conversations with the two witnesses or that he had made the statements attributed to him by the witnesses.

34. It was the opinion of the members of the committee that this commission member was not sincere in his testimony respecting the statements attributed to him or the article appearing in the Choteau Acantha.

CONCLUSIONS

35. In investigating this problem of dissension, your committee makes the following conclusions:

a. Any Commission member should have the right of fair comment in the press relating to game department policies.

b. A Commission member who is critical of Fish and Game Department policies should make them fully known at the Commission meetings.

c. The Commission member admitted in his testimony that he had no basis upon which to challenge the honesty and integrity of any other member of the Commission or any members of the department's personnel.

d. The charges made against the Commission in the article in the Choteau Acantha were unfounded.

e. The continued membership on the Commission of this Commission member is incompatible now with harmony and good management by the Commission. (There appears no possibility of future cooperation between this Commission member and members of the department personnel.)

CENTENNIAL TRAIN EXPENDITURES

In this connection the committee has reference to the findings of the Select Committee investigating the Montana Centennial Commission. From those findings of the Select Committee, the members of this committee make the following conclusions:

1. Prior to the 1963-64 biennium there were unobligated funds available to the Commission over which the Legislature had not asserted control. The expenditures for the Centennial Train were obligated before the start of the 1963-64 biennium through a contract between the Fish and Game Commission and the Montana Centennial Commission. Under present procedure the Fish and Game Department may not expend such unobligated funds unless such expenditures are budgeted. It appears, therefore, that in the future such commitments of Fish and Game funds will not be possible.

2. The exhibit on the train may be returned to the Commission and have value for exhibitions and the spread of Fish and Game information in the State of Montana.

SUMMARY OF CENTENNIAL TRAIN EXPENSES—DECEMBER 31, 1964

Montana Territorial Centennial Commission:			Amount
6/11/63—Train personnel travel expense	\$		\$ 3,000.00
7/22/63—Exhibit			
Car exp. (1/7th prorata share)		12,949.80	
11/16/63—Fish Pond Exhibit at Fair		18,269.00	
1/11/64—Other Exhibit Expenses at Fair		18,765.30	49,984.10
<hr/>			
Fish and Game Department—Exhibits:			
L. G. Mitchell—Wolverine hide		15.00	
Jack Atcheson—Antelope mount		350.00	
Jack Atcheson—Sheep mount		375.00	
Alpine Wildlife—Fish mountings		326.47	
Lentfer Brothers—Black Bear hide		127.50	
Great Falls Sporting Goods—Goat mount		450.00	
Bob Miller—Taxidermy work		64.00	1,707.97
<hr/>			
20" x 24" Lighter picture transparency		55.00	
Fiber glassing on transparency		12.00	

Plexiglass mounting, exhibit cases	459.00	
Yuhas Millwork, car interior work	2,017.66	
Western Painting & Dec. Car., car interior paint	381.04	2,924.70
(1) Miscellaneous salaries, benefits & expenses		264.27
Total Authorized Expenditure		<u>\$57,881.04</u>

- (1) Salaries and benefits as shown above were an additional expense which had to be charged against the Centennial Train Fund inasmuch as this work was performed as part of the Exhibit preparation and was requested by the Train Director.
The four Game Wardens who were at the Fair Exhibit were not charged against the Centennial Train Fund but were carried at their regular salaries as on enforcement projects.
- (2) The mountain sheep was authorized at a later date by the Fish and Game Commission and should have been shown as an expenditure from Fish and Game operating funds rather than Centennial funds. The additional mount was approved when the sheep became available to the department through an accident wherein the sheep was killed by a car. The head was outstanding and mounted for exhibit purposes.

REPORT OF THE FISH AND GAME SUBCOMMITTEE ON THE GALLATIN GAME PRESERVE

Tuesday—February 2, 1965

Members of Committee—William Zimmer, Chairman

Richard Tooke

C. R. Fischer

* * * * *

The committee met at Fish and Game headquarters in Helena at 8 a.m., motored to Helena airport via Fish and Game vehicle with Frank Dunkle, Director. Left Helena Airport via State Aeronautics plane (Queen Air) at 8:45 a.m. The committee was accompanied by Mr. Dunkle.

We arrived at Gallatin Field at 9:15 a.m. and were met by members of the Upper Gallatin Elk Preservation Association, those members being John Thompson, Lovell Davis, Cliff Pasha and Sheriff McClurg, of Bozeman. While waiting for observation plane to warm up, members listened to the problems of the UGEPA.

Left Gallitan Field to observe the above mentioned preserve via Cessna 180 (a private ship) piloted by a Mr. Jim Stradley, a very competent pilot and a gentleman the committee found to be well versed on the game range area. Time of departure was 9:55 a.m. We flew south out of Bozeman up the Gallatin Canyon and on into the preserve. We might say, the committee saw the area in its entirety, plus the headwater and drainages of the preserve. We saw approximately 300 head of elk, but due to the hour of the day, we realized that the greatest number of elk were bedded in the timber. After careful scrutiny of the entire area, we arrived back at Gallatin Field at 11:35 a.m. (Mr. Dunkle did not accompany the committee on this flight.)

Upon arrival back at the field, we were met by LeRoy Ellig and Mr. Dunkle. Mr. Ellig is District Supervisor at Bozeman (District #3). He drove us to district headquarters in a Fish and Game vehicle, arriving at said place about 12 o'clock noon. At this area we had an orientation of the area so we would be more familiar with it from the ground and also the areas that were pointed to us from the air by Mr. Stradley.

Mr. Dunkle then left for a speaking engagement before the Bozeman Rotary Club at 12:15 p.m. Mr. Elling drove the committee to the Bozeman Hotel, at which place we, the committee, had lunch with Mr. and Mrs. Kenneth Baldwin. Mr. Baldwin is president of the Montana Wildlife Federation. Mr. Baldwin, during lunch, explained the history of said preserve and brought us up-to-date on all the pros and cons. We finished lunch, which Mr. Baldwin so graciously paid for, at 1:15 p.m.

Mr. Elling and Mr. Dunkle picked up the committee at 1:35 p.m. for the purpose of touring the game preserve by auto. On the way to the preserve we stopped again at Fish and Game headquarters where Mr. John Thompson, Mr. Lovell Davis and Mr. Cliff Pasha met us. They followed in their own car to the Porcupine area of the preserve. The committee rode with Mr. Dunkle and Mr. Elling. Upon our arrival at Porcupine we were met by Marc Patten, Sam Smeding, Ronnie Hymas, Buck Knight and Jim Goodrich.

At this time the committee traveled and talked with all the above mentioned persons. We visited the ranch of Ronnie Hymas, to observe snow conditions. From this area we then motored to the place of Marc Patten, which is located just inside the boundary of Yellowstone Park, but which is private property. It was also stated and pointed out in further discussion that this is a focal point of migration, meaning that the area that Mr. Patten controls is in the stated preserve and in this area the elk that migrate from the Park break up into individual migration patterns to move further down the Gallatin Canyon.

While at Mr. Patten's, the various problems were discussed by the interested parties and members of this committee asked various questions.

After leaving Mr. Patten's, the group then returned to the business establishment of Mr. Buck Knight, where we were met by Mr. Howard Kelsey, Jack Hume and Vern Koelzner. Further discussions were held and upon returning to the airfield the committee traveled with the three above mentioned.

On the last leg of our trip, the hour of day was proper and the game was moving out of the timbered sections. Much game was observed—deer, moose and elk. Mr. Kelsey, Mr. Hume and Mr. Koelzner were very vocal and expressed their opinions freely.

We arrived at the airfield at 7:10 p.m. The plane was all warmed up and we departed for Butte, at which place we left Mr. Dunkle off to attend a meeting. The members of the committee journeyed on to Helena, arriving at the Helena airport at approximately 8:30 p.m.

OBSERVATIONS

1. The residents feel that by having a season in this area the elk are driven back into the high country and are not allowed to follow their regular, migratory pattern. At the time the season closes, the snow is too deep for them to get out and they will starve. These persons want a feeding program for the elk, which the UGEPA was organized for.

2. It is the feeling of the residents of the Upper Gallatin and some of the residents of the Gallatin Valley, that the public relations of the Fish and Game Department have been poor regarding the Gallatin Game Preserve.

3. The residents feel the Fish and Game Department has been derelict in all their duties, not only the business dealing with the preserve.

4. The residents definitely want the Gallatin Game Preserve established by legislation.

CONCLUSIONS

It is the profound conclusion of this committee that the Gallatin Game Preserve should not be legislated, but left the way it is now, under control of the Fish and Game Commission with the understanding that the Committee and Department be more attentive to the problems of the people in the area involved.

The only thing to be gained by making this a legislative preserve would be to extend the boundary of Yellowstone Park, and no one would have jurisdiction over it.

We, your subcommittee on fish and game, appointed to investigate the Gallatin Game Preserve and pending legislation on House Bill No. 206, do hereby recommend that House Bill No. 206 do not pass.

Respectfully submitted:

WILLIAM ZIMMER, Chairman,
RICHARD TOOKE, Member,
C. R. FISCHER, Member.

SUB-COMMITTEE REPORT

SPECIAL REVIEW OF THE SUN RIVER ELK SITUATION
FOR THE HOUSE FISH AND GAME COMMITTEE
OF THE THIRTY-NINTH LEGISLATIVE ASSEMBLY
OF THE STATE OF MONTANA

Review and Report by Representative C. R. Fischer

* * * * *

On February 10, 1965, I accompanied Commissioner E. G. Leipheimer and Fish and Game Director, Frank Dunkle, on a show-me trip and review of the Sun River elk and deer problem.

We left Helena, proceeding to Augusta where we contacted Robert Eng, District Supervisor for that area. From Augusta we proceeded to Choteau to meet with the President of the Teton County Sportsmen to discuss the deer problem, as they saw it, on the east slope of the continental divide. The president of the club is a Mr. Frank Kelly.

Mr. Kelly indicated there was a rather severe problem being experienced by the ranchers along the slope that has resulted from numerous deer moving in on them during the winter. The problem has developed in some areas because deer do not move into the area until later in the year and the ranchers in some instances have not allowed trespassing across their lands to the forest boundaries in the mountains.

Mr. Kelly indicated if some sort of agreement could be worked out for sportsmen to go across these lands in the early part of the hunt, they would not object to a late deer season in the area. They have gone on record as agreeing with the department for a two-deer recommendation for that area.

After concluding this matter (where, incidentally, I found an excellent relationship between the Department and the club) we then proceeded to a meeting with Mrs. J. Salmons, who is one of the principal landowners. Mrs. Salmons agreed to the consideration of an easement and certainly to the later season.

It would appear that when the Department is allowed to work with groups and individuals and explain their program, without undue harassment they can work out solutions that are equitable to the people, both landowners and sportsmen, and in the best interests of the game.

From Choteau we returned to Augusta and then on to the Sun River Game Range, which is owned by the State of Montana and held in trust by the state for winter grazing of big game animals.

I have attached to this report a copy of the Department's Sun River Elk Management Plan which was adopted by the Commission in March, 1964 and a copy of the proposed management plan as presented by Mr. Clyde Roe of Augusta.

At the Sun River a helicopter was waiting and we flew north along the continental divide and lower slopes of the area, going across the game range at an altitude that would not disturb the elk. From a casual view a rough count of 600 elk was indicated on the game range proper and open slopes.

We proceeded immediately to the area in question concerning deer in this area. There is no doubt in my mind about deer numbers. The Department has said in other reports that the deer were a problem and a later season should be considered to harvest these animals and give relief and protection to the landowners as well as recreation to the sportsmen. I am being conservative when I say that in a stretch of less than 15 miles of this area between Sun River and Deep Creek there were many deer in excess of 2,000. They were in bunches ranging from 10 to 300.

These deer were not an illusion. They were there—and they are a considerable problem to the landowner.

I would recommend that the committee accept the Department's suggestion on the proper management of these animals and commend them on their ability to work out solutions with the sportsmen and landowners in that area. Without equivocation, I say the deer are there and in the numbers projected by the Department.

On our return flight we gave closer inspection to the Sun River area only we didn't fly up the so-called north fork. We observed between 1,000 and 1,200 elk within the game range boundary. There was no wind and the hour was just before darkness—an excellent time to see game. We dropped down to look at different groups of elk and they did move out from under the helicopter but didn't seem to be suffering from harrassment from this type of observation. I asked the helicopter pilot to move in very close to several bulls for pictures and at this point they did run if you kept after them but the minute we pulled off they stopped.

I asked several questions about the research project that has been questioned by several groups and I found that through this project the Department has learned a great deal about the movement of these elk. It is important to know more about these animals and how they must be handled in order to have good hunting. The results of the research project will be compiled within the next year and many of the findings from this can be included in the management plan projected by the Department. The Department assured me that copies of their findings will be made available to the public and any of this committee who desires to have them when they become available next year.

The plan projected by the Department appears to be sound and in the best interests of the sportsmen and the elk. I would recommend endorsement of the Department's program.

Respectfully submitted,

C. R. FISCHER.

SUN RIVER ELK MANAGEMENT

From this date, and until such a time that winter conditions permit a good count of the Sun River elk herd, the quota for harvested elk should be set to maintain the herd at its present level.

In order to maintain a stable population, the annual harvest quota for the Sun River elk herd (hunting district 42) will be arrived at in the following manner:

A figure representing a winter population will be used as a base. If a count is made this spring that is agreeable to all parties, this will form

the base figure for operation. If a count is not obtained, a base figure will be arrived at from the last count (winter of 1961-62) which was agreeable to all parties.

During any one year the current cow-calf ratio and sex structure of the herd will be used in calculating the annual herd increment. A percentage of this increment will be subtracted for that portion of the herd being harvested in the Flathead drainage. The remaining portion of this year's increment will make up the quota.

This procedure will be used annually in a continuing manner in years when weather conditions are such that a good count cannot be obtained. In years when a good count can be obtained, the base figure being used in calculations will be adjusted accordingly. This figure will then provide the base for consideration until another good count is obtained.

In short, a method of calculation will be used in arriving at the annual harvest quota. This calculation will be carried through on a yearly basis with adjustments made in the base winter herd figure during years of severe winter conditions when we feel that an adequate count can be obtained.

SUPPLEMENT TO SUN RIVER ELK MANAGEMENT

The plan set forth above, for a method of calculation, to be used in arriving at the annual harvest quota of Sun River elk, does not preclude consideration of range forage conditions as a basis for adjusting the size of the herd.

The plan for counts and calculation of the harvest quota is designed to maintain the herd at its present level. Annual surveys of range forage utilization and periodic surveys of range forage condition, will be conducted to provide data for a basis to make future adjustments in herd size.

Present information indicates range forage conditions are generally fair with an improving trend. Maintenance of the herd at approximately its present level should allow further improvement in forage conditions for a larger herd in the future.

Adopted March 22, 1964

Montana Fish and Game Commission

PROPOSED SUN RIVER ELK HERD MANAGEMENT PLAN

1. The purpose of this management plan is to attempt to build 3,500 head minimum basic herd. This arrived at by agreeable count between Fish and Game Department and Sportsmen's groups in this area.
2. Conclude present Research Program September 1, 1965.
 - a. See that all interested clubs are notified of findings and conclusions.
 - b. Start no further experimental or research programs on game herds in this area without first contacting and hearing from Sportsmen's clubs in this area.
3. 30 Day Season. Approximately 15 October to 15 of November. 200 either sex limit; if limit is reached before 15 November, finish season on Branch Antler Bulls.
4. Re-establish a limited salting program in Sun River area. Approximately 30 spots, four blocks to a spot (almost all in Game Preserve). Could refer to Department's previously used salting program to pick spots.
5. Do not open Sun River Game Preserve to hunting.
6. Change hunting in Sun River Game Range from eight days to first three days of general season.

- a. Put up hay in summer on Game Range on share basis.
- b. Use salting program on Game Range as previously used by Bruce Neal.
- c. Cut down winter activity on Range.

7. For checking station and herd count purposes, change boundary so elk in North Fork of Dearborn River area be counted as Sun River elk.

(Noted as received February 1, 1965 by the State of Montana Fish & Game Department.)

SUPPLEMENTAL REPORT BY REPRESENTATIVE C. R. FISCHER

This report is in supplement to the subcommittee report by C. R. Fischer on the over-all management program of the Sun River Elk Herd. The subcommittee report is attached to this document, plus the Fish and Game Commission Sun River Elk Management Plan and the Sun River Citizens' Elk Management Plan, and we wish to add the following facts and conclusions.

Mr. Clyde Roe of Augusta testified before the investigating committee on February 17, basically supporting the Augusta group's management plan of the Sun River elk herd. He also stated this was the only plan he could support. Also, Bill Wendling of the Cascade Wildlife group testified regarding the same and offered support to this plan. He also testified as to game counts, numbers and kill trends for the past several years. Mr. Robert Weintz, who at present is a commissioner for the State Fish and Game Department, also appeared before the investigating committee on February 23, and recommended the citizens' elk plan over that of the Department.

The special investigating committee, on February 24, 1965 examined evidence which included maps and documents of the Fish and Game, and letters and management plan from the various sportsmen's groups in the Sun River area. These letters showed recommendations regarding opening and closing of seasons, plus other information in regards to hunting in the Sun River area. The letters were for periods over the past several years.

At this meeting, Mr. Wynn Freeman, who is the big game manager for the Fish and Game Department, and Doctor Robert Eng, who is district supervisor of the Great Falls district, and who is also in charge of the scientific research program of the Sun River, presented facts on all facets of this program.

One area of the program has drawn much fire from the Sun River residents. This is the tagging program which is a part of the over-all scientific research procedure. This program was first initiated in 1937 and has continued through 1964 and a portion of 1965. The basic complaints of the Sun River residents is that the elk are being harassed. As stated in the subcommittee report of C. R. Fischer, this harassment is at a minimum and at certain times a necessity to carry on this program. We of this committee feel that this portion of the program is very necessary in establishing the migration pattern of the various elk herds in the Sun River. The tagging program is the basic tool of good, sound management of the Sun River elk herd.

It is the feeling of this committee that the Sun River area people, in preparing their plan for the management of said elk herd (said plan attached to this document), do not in any way have the technical and scientific training necessary to compute a management program that would have such a widespread effect on our wildlife resources in this area. Their program is based on the opinion of several persons in the area who have observed the various habits of the Sun River elk herd over the years.

We also find that the Fish and Game Department has cooperated in most of the recommendations stemming from this area, and in the recommendations not concurred in, we find it was for the best, regarding management.

It is also found by this committee, after reviewing all evidence from both sides, that the Sun River Elk Management Plan of the Fish and Game Department is the only sound, sensible and workable program, and this program is for the betterment and propagation of our wildlife resources in the Sun River.

Respectfully submitted,
C. R. FISCHER.

SUB-COMMITTEE REPORT ON SUN RIVER

By Representative John Delano

From our findings, I do not think that the Dearborn elk should be included in the Sun River herd. To support this conclusion, the only one reported tagged animal has dropped into the Dearborn from the Sun River area. I think that any refinement of management should be to confine an area rather than to enlarge it.

I think that the harvest number should be determined each year, depending on several conditions. For example, it is not always possible to get a good count every year and the Department indicates that there has not been a good count since 1959. Good counts are possible only with good, specific conditions. By that, I mean when there is a hard, early winter, this tends to drive the elk to the game range. It is only possible to count animals that are available to be counted. In other words, animals in timber cannot be counted.

I do not think that the present research program is bad or detrimental to the elk population. The neck tagging program has been very good in determining migration patterns of the elk. As an example, stated above, only one tagged Sun River elk ever got in the Dearborn drainage. Findings like this would not be possible without the tagging program.

I do not think that a pre-determined figure can be set at this time for every year's harvest. In other words, the annual harvest should be dependent on many things for good game management.

Research shows that salting programs will not necessarily pull or hold elk in an area. As far as salting in the preserve is concerned, I do not necessarily think that this is a good practice because in the fall the elk should be encouraged to leave the preserve to go to the game range.

Concerning the hunting season on the game range, I do not think that the game range should be closed to hunting and then tell the private landowners surrounding the game range that they should keep their land open. I do not think this is a consistent program.

My findings concerning the hay, located in the bottoms on the game range, are that the hay is being used for feed by the elk. I would also like to state that the bottoms make up only six percent (6%) of the total game range area.

GENERAL STATEMENT

I personally think that the Fish and Game Department and the Commission are to be complimented on their present district program and their public relations program in the various districts. I think that the administration of the Department is being handled very efficiently and we have found absolutely no evidence of any dishonesty whatsoever in any segment of the Department.

I think that the present director and deputy director system is a good program in that the director is more or less in charge of external affairs with the public, etc., and the deputy director is more of an administrative head. This eliminates a duplication of duties and has proved to be a very efficient system for the Department.

Respectfully submitted,
JOHN DELANO.

TO THE HOUSE FISH AND GAME COMMITTEE:

After giving due consideration to all available information, including personal interviews, field trips both by air and ground, association with sportsmen from the affected areas, as well as Department personnel, I would offer this report:

The majority opinion of those interviewed is that of confidence in the programs put forth by the Fish and Game Department, but as well could be expected, many suggestions have been made which in my estimation are of no great consequence, except it does alert one to a great interest in the area of proper fish and game management.

The minority opinion of those interviewed which in many instances condemn practically all phases of the program of the Fish and Game, appear to be the product of a relatively few who have their own personal interests at heart. These few are mostly all people who have as their livelihood the business of dude ranching, game camp operators and outfitters and guides. This could be expected, as considerable investment by these groups would naturally affect their feelings, and any program which might tend to limit the game in their areas is definitely frowned upon.

I personally regard the Commission, with the exception of one member, in high esteem and commend them for promoting a sound program as well as their efforts in what often appears to be a most controversial situation. Personally, I would like the Department's director to continue his efforts, regardless of how distasteful and futile it might seem, to promote a plan in each of the two elk areas that have been the breeding ground for this dissension. With great courage, worlds of tact, and the resourcefulness of the director this can be accomplished.

Respectfully submitted,
RICHARD D. TOOKE.

TO THE HOUSE FISH AND GAME COMMITTEE:

Having heard testimony of interested individuals, representatives of various groups of sportsmen and from the many organizations interested in the conservation of our wildlife, as well as from the Department of Fish and Game, and after giving this matter much thought and study I have come to the following conclusions:

That there definitely is a problem in certain areas, the Gallatin and Sun River areas being of the greatest concern. From the evidence submitted by people from both these areas, I am certain that the majority are in accord with the policy of the Fish and Game Commission and the Fish and Game Department.

It seems that certain individuals, some local groups and clubs, object to several policies of the Fish and Game Department, particularly when it comes to elk range management. It appears that some of this objection is purely of a mercenary nature. These people are thinking of their own personal interest rather than that of the citizenry of Montana as a whole.

The statements made at the hearings are on record and can be referred to, so in conclusion I submit the following:

My recommendation is that this committee give the members of the Fish and Game Commission, the members of the Fish and Game Department, and the director of the Fish and Game Department a vote of confidence.

And I further recommend that unless there is an immediate change in the relationship between the Fish and Game Commissioner that is not cooperating with the other members of the Commission, that the Governor be asked to replace him on the Commission.

This may seem rather atrocious but I feel that we, the people of Montana, have too much at stake to tolerate such a condition to exist among the members of a commission as important as this one is.

Respectfully submitted,

WILLIAM H. ZIMMER, Chairman
Special Sub-Committee.

GILL, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 24, introduced by Johnson, Twedt, Slaby, Cregg, Bardanouve, Shugrue, Lombardi, Tracy, Cerovski, Gilfeather, Sartz, Brenner, Schepens, Lewis, Wayrynen: A resolution of the House of Representatives of the Thirty-ninth Legislative Assembly of the State of Montana requesting the Governor of the State of Montana, the Montana Department of Public Welfare, the Montana State Department of Administration, and any other state or county agency or agencies to immediately take all measures necessary to have all eligible areas in the State of Montana participate in the Food Stamp Act of 1964. Referred to Committee on Public Health, Welfare and Safety.

Motion was made by Cerovski that this Legislative Day be considered the 55th Legislative Day. After discussion, the Speaker Pro Tem referred the motion to the Rules Committee.

Motion was made by Cerovski that the House suspend the rules in regard to transmittal of bills, to permit the Senate to transmit Reapportionment bills to the House up to and including the Sixtieth Day. After discussion, the Speaker Pro Tem referred the motion to the Rules Committee.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

McNamer of Yellowstone in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 163 do pass.

That House Bill No. 532 do pass.

That Senate Bill No. 51 be concurred in.

That the Committee rise and report.

McNAMER, Chairman.

Report adopted.

March 3, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 56, 333, 91, 427, 147, 92, 290, 354, 243, 311, 236, 405, 477, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:15 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

March 3, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 402, 189, 469, Senate Substitute for House Bill No. 495, House Bills Nos. 386, 283, 256, 37, 317, 397, 384, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:15 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

March 3, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 533 beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

March 3, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 3, 208, 346 and 514.

JAMES, Vice-Chairman.

Motion was made by Eskildsen that the House revert to Order of Business No. 3. Motion carried.

REPORTS OF SELECT COMMITTEES SPECIAL APPROPRIATIONS INVESTIGATING COMMITTEE

Report to the Members of the 39th Legislative Assembly

March 1, 1965

The Chairman of the Appropriations Committee requested that a five man committee be appointed by the Speaker of the House. This committee was appointed on January 13, 1965, by the Speaker and was assigned the task of analyzing Montana's present procedures as regards abandoned and neglected children and adoptions. Evidence was to be weighed as to whether foster home care should play a more important role in the rehabilitation of our disadvantaged youth and institutionalization a lessor role.

The Committee is grateful for the cooperation afforded it by the various state agencies, the private agencies functioning in this field and the individuals representing these agencies who presented statistics and testimony to us at our various meetings.

This Committee respectfully submits the following report for your consideration.

ADOPTIONS

At the present time the placing for adoption of infants by the State Welfare Agency and the three private agencies licensed under the Welfare Agency is not too great a problem, however, contrary to public belief, there is no appreciable surplus of agency approved adoptive homes. Infants up for adoption are cared for in temporary foster homes, which

at present are in sufficient supply. Efforts are made by the various agencies at this time to find legal homes for the infants and past records indicate these are found rather readily.

Unfortunately, as a child becomes older, his apparent attractiveness to a family as a child eligible for adoption diminishes so there is a direct regressive correlation between the age of a child and his chance for adoption. Older persons anticipating adoption are encouraged to take the older children since this creates a situation that is more compatible to both the parents and children. One out of seven of the total cases handled by the Welfare Department, or approximately two hundred cases a year, result in legal adoption. Private licensed agencies in this state place at present an average of about one hundred and fifty infants a year. If present trends continue it is the opinion of this Committee that infant adoptions will present no great problem to our society.

When thinking in terms of legal adoptions, most of us think primarily in terms of orphans and children of unwed mothers. It is interesting to note that orphans as defined by the dictionary, are "children deprived by death of parents". A case study of all children in Twin Bridges reveals very few orphans per se. Also the study shows children with definite "acting out" or behavior problems. Records indicated from length of time that many of them have spent in this home, they are being held beyond the time they would more easily adjust to a foster home and also beyond the time of easy adoption placement age. The Committee realizes that custodial care in many instances is necessary, but testimony indicates that with proper foster home care, institutional care could usually be of a more temporary duration.

In investigating the specific areas of the Twin Bridges Home, the scope of the problem was so complex that it did inter-twine with other institutions such as the Pine Hills School at Miles City, the Mountain View School at Helena and the institution at Boulder.

The Committee realizes that all state budgets are faced with a limited amount of funds and we felt that the personnel who would function in regards to the Children's Home at Twin Bridges could also, in some way, aid the rehabilitation of children and youth from the other above mentioned institution.

Since our research did carry us into some of the existing statutes on a federal, state and local basis, we feel at this time that a comment and recommendations on the statutes are in order. At present the custody of dependent, neglected and delinquent youth is given directly from the district court to the institution to which they are sent. In our opinion it would be desirable to have them wards of the Department of Institutions. In this manner the Committee feels that more desirable end results could be obtained on a given expenditure.

We have not overlooked the fact that a more desirable feature of the optimum plan of returning the children to society should include adequate psychiatric staff at each of the institutions involved. If funds allowed, it would be desirable to provide social workers for each institution. We realize that this is at present beyond the means of our state but by using the Department of Institutions as a central agency, maximum results could be obtained with a minimum staff of after care counsellors or social workers.

Perhaps the saddest conclusion that was drawn by this Committee is that through a more intense use of desirable type foster homes our youth could be more quickly assimilated back to their normal role in society. Since home type living is the basis of all society as opposed to institutional type living, we feel wherever the situation would allow, emphasis should be placed on home care.

The Committee does realize, however, that certain type youths require institutionalization and unfortunately will require, perhaps in many, many cases, the same type institutionalization as adults.

Since one of the many therapies that should be used in leading our children back to a stable life is contact with family and community living, it is wrong to place children in an institution in a withdrawn atmosphere where the children's exposure to normal living is reduced.

DEPENDENT AND NEGLECTED CHILDREN

The dependent and neglected children become wards of the court mainly because of broken homes. The Welfare Department becomes aware of these situations from varied sources such as doctors, clergy, neighbors of the parents, law enforcement agencies and sometimes parents themselves. Since broken home environments involve a greater predominance of the cases, hopefully the best method of correction would be the removal of the child to a temporary foster home, correct the environment and return the child to the home. Realistically, this can be accomplished in a majority of cases. However, society is often faced with the problem of the rehabilitation of those who have no possibility of returning to their parents' homes. This type of problem can be resolved in five general ways:

1. Temporary institutional type care and placement in a foster home;
2. Boarding type foster home care involving six to eight children in a family group type environment;
3. Adoptive homes that sometimes result from the close ties of a foster home;
4. Permanent foster homes until a child becomes of age;
5. Permanent custodial care until the child becomes of age.

The last stated alternative is the least desirable since it is not conducive to the individual's complete rehabilitation and many cases handled in this manner become in later years a permanent burden on society. It is important for all of us to remember that children who have been the unfortunate victims of an adverse home environment are, to some degree, emotionally disturbed. In order for the children to respond to foster home care or to institutional care, it is desirable that these children be given some initial psychiatric examination. The response of children so tested, along with a definite plan of follow-up treatment is more immediate and ultimately more successful in a shorter period of time. It becomes quite obvious at this point that adequate psychological testing and social worker observation and follow-up care would be needed for this program to function properly. Again it is obvious that there would have to be available desirable foster homes in sufficient numbers to accommodate the needs since, historically, we have placed only a minimum emphasis on this type of care. We would have to make an active solicitation of foster homes. Our evidence indicates that this can be done but would require not only support, but promotion by various state and private agencies and other religious, civic, and fraternal organizations. Promotional emphasis has resulted in other states finding sufficient numbers of good quality foster homes. We have every reason to believe that programs of this type would also be successful in Montana. Persons who supply these desirable type homes are mature, humanitarian type individuals. However, adequate reimbursement to these homes must be made available to make the situation attractive.

We cannot divorce the foster home problem from the economics involved. At present we are paying, in this state, \$42.50 per month, \$21.25 by the county and \$21.25 by the state for each child in a foster home. Most of the counties realize that this is an inadequate amount and supply an additional \$11.00 for all children and another \$7.00 additional for teenage children. Even in the cases of teenagers this adds up to only \$60.50 and is not adequate to pay the total expense of that child in a foster home. The Committee recommends that aggregate payment of the costs which would include food, clothing and shelter should be a minimum of \$100.00

per month. The Committee also feels, since this is a justifiable "end result" program, even when measured in the harsh terms of the dollar, \$100 per month is a justifiable figure. Certainly, even more justifiable, is the end result to the child himself who responds to the home more readily than custodial care and is often completely returned to normal behavior which in itself prevents him from becoming a problem to society.

Since we are now in the midst of an economic comparison, the Committee feels that it would be well to compare foster home care with the cost of institutional care. Figures gathered by the Committee indicate that keeping a social worker in the field would require a \$14,000 yearly budget. Assuming a \$14,000 total budget per social worker and a thirty case load per social worker, we arrive at a figure of \$466 per child per social worker. In adding \$1,200.00 board and room for a child, which includes clothing and \$300.00 medical care per child, we arrive at a \$1,966 total yearly expense per child in foster homes. On the other hand, by analyzing the yearly cost in our institutions, considering operational costs only, we find that our average yearly cost per child in institutions is greater than this (based on the biennial report of the institutions). If one would charge against that child care, the capital investments of that institution, he would arrive at a figure double that of the foster care budget figure of \$1,966 per year per child.

This is not a fair comparison since, in most cases, the end results of foster home care would definitely rehabilitate the child much more rapidly than institutional care and some of them would be returned to relatives and parents, decreasing the costs to the state. Thus, it would follow that a searching analysis should be made as to whether state funds should be placed in capital investments of a home such as Twin Bridges or whether this capital would be more wisely spent in foster home care. The Committee feels that in the future, emphasis should be placed on foster home care and that although there will always be some necessity for an institution of this type, its population, with increasing emphasis on foster home care, would stabilize and perhaps decrease.

CONCLUSIONS

1. The primary responsibility of meeting the needs of youth belongs to the parents.
2. When parents fail in this obligation, society must assume the responsibility. The services, to which these children are referred, are a joint responsibility of the public agencies and the voluntary social agencies. For this reason we would encourage close cooperation between the public agency and voluntary social agencies.
3. Referral services when needed should be generally available and adequate to meet the child's needs.
4. State government has the responsibility of taking the leadership in providing facilities and services in regards to the neglected or dependent child.
5. State governments should also supervise the government services in the total program.
6. Public awareness, participation of citizens' groups, voluntary programs and public programs must all be correlated.
7. Any successful program involving permanent rehabilitation of our youth requires definite standards. Some of these standards are below listed:
 - a. Thorough psychiatric examination, evaluation, and care, as necessary for all state care children.
 - b. Active encouragement of high quality foster homes.

c. Policy of referring children to these foster homes rather than institutions whenever possible and practical.

d. Professional follow-up counselling for all children and foster parents participating in the foster care program.

e. Provision of adequate institutional care for children, which, for good reasons, cannot be placed in homes of families.

f. Professional counselling for all children in institutions and for their parents with a view to restoring the child to a stable and wholesome situation with the child's own family.

g. Professional follow-up counselling for all children released from state institutions until such time as the child has achieved stability in the community.

Respectfully submitted,

E. W. CHRISTIANSEN, /s/
Chairman

W. GORDON McOMBER /s/
Vice-Chairman

ROBERT L. DESCHAMPS, JR. /s/
RAY M. LOMAN /s/
JACK D. REHBERG /s/

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5. Public Child Welfare and Youth Services, U. S. Department of Health, Education and Welfare, Social Security Administration, Children's Bureau.
6. Delinquent Children in Penal Institutions, U. S. Department of Health, Education and Welfare, Welfare Administration, Children's Bureau.
7. Standard Family Court Act, National Probation and Parole Association.
8. Standard Juvenile Court Act, National Probation and Parole Association.
9. Legislative Guides for the Termination of Parental Rights and Responsibilities and the Adoption of Children, Social Security Administration, Children's Bureau.
10. The Abused Child, U. S. Department of Health, Education and Welfare, Welfare Administration, Children's Bureau.
11. Child Caring Institution, U. S. Department of Health, Education and Welfare, Welfare Administration, Children's Bureau.

12. In addition to the above mentioned sources and references various statistical data was also supplied by the Department of Public Institutions, Department of Public Welfare, private agencies functioning in the field and verbal testimony and written recommendations of private psychiatrists. Also, a complete list of case histories of the residents of the Children's Center as of January, 1965.

FOSTER HOMES AND ADOPTION PROCEDURES CONCLUSIONS FROM MEETING

A meeting was held January 25, 1965, with Representatives McOmber, Christiansen, Bardanouve and Rehberg present. Also present were Drs. White and Wilder, Mrs. Pat Gullman, Mr. Flanagan, Mr. Erickson and Mr. Morris Harmon.

- I. Legal adoption of infants not a present problem.
 - A. Availability of infants about equal to availability of homes.
 - B. At times homes must be found for infants.
 - C. Contrary to general accepted version, there are at present no backlogs of people waiting to adopt children.
- II. Foster Homes are more desirable in many instances, however, they are not used for the following reasons:
 - A. Foster homes are not being aggressively solicited.
 - B. Fees paid to homes too low to be attractive.
- III. Foster homes could be found and used advantageously if:
 - A. Fees were increased.
 1. Present schedule, \$45.00 per month.
 2. Suggestions varied from \$100.00 to \$150.00 per month.
 3. Present institutional rate, approximately \$200.00 per month, per child—operational budget only, not capital investment.
 - B. However, solicitation of prospective foster homes needed.
 1. Promotion and awareness through public and private impetus.
 - a. Government agencies.
 - b. Civic groups.
 - c. Fraternal groups.
 - d. Religious groups.
 - C. Foster homes can be found for borderline incorrigibles.
- IV. Halfway homes or boarding homes operated for groups.
 - A. Six to ten seems to be the optimum number in each home.
 1. Should be located in residential areas.
 2. They, by nature, have more overtones of commercialism than foster homes.
- V. Certain cases respond to custodial-type care better.
 - A. Custodial care in some instances is an intermediate step to foster care.
 - B. Custodial care is the most responsive type care in certain rare cases.
 1. Generally speaking, this category would involve teenagers.

VI. Procedures as described above could apply to children from:

- A. Children's Center at Twin Bridges.
- B. Mountain View at Helena.
- C. Pine Hills at Miles City and
- D. Boulder.

VII. Conclusion.

- A. To obtain maximum results from a program of this type, Social Workers would be needed.
 - 1. To find and license foster homes.
 - 2. To place children in foster homes.
 - 3. For follow-up work in these foster homes.
- B. Budget to keep one social worker in the field—\$15,000.00 per year, includes:
 - 1. Social worker's salary.
 - 2. Clerical worker's salary.
 - 3. Office expenses.
 - 4. Transportation expenses.
- C. Social worker could handle case load of forty children.
 - 1. Pro rata share of Social Worker—\$30.00 to \$40.00 per month, per child.

FOSTER HOMES AND ADOPTION PROCEDURES
CONCLUSIONS FROM MEETING

A meeting was held February 4, 1965, with Representatives Loman, Christiansen and Rehberg present. Mrs. P. J. Gilfeather, was the guest speaker. Mrs. Gilfeather gave us a bit of her background, which in our opinion, gives her a qualified voice in such matters.

The following is an outline of Mrs. Gilfeather's observations and recommendations.

- I. Too great emphasis in Montana on institutional care.
 - A. Institutions placed in isolated places.
 - B. Large institutional care decreases chance of rehabilitation.
 - 1. Some institutionalization care often needed prior to out-home care.
 - C. Applies to Mountain View, Pine Hills, Children's Center, Boulder.
- II. Recommendations: Foster Homes—return to relatives and families. Adoptive Homes—Counseling with older children leaving for jobs.
 - A. State Centralized home finding.
 - B. Placement in adoptive homes, foster homes, relatives homes.
 - C. After care for children leaving school and going into work field.

POSSIBILITIES:

- 1. Office established in conjunction with Mental Hygiene Clinics at
 - a. Billings.
 - b. Butte.
 - c. Helena.
 - d. Great Falls.
 - e. Missoula.
- 2. Centralized administrative agency.

III. Economic justification.

- A. Yearly present costs (operative only).
 - 1. Children's Center—\$2,574.92.
 - 2. Pine Hills, Miles City—\$2,599.58.
 - 3. Boulder—\$1,969.58.
 - 4. Mountain View, Helena—\$3,475.84.
(Emphasis operational only).
- B. Budget as estimated (foster home care).
 - 1. \$8,000.00 Social Worker.
 - 2. \$4,000.00 Secretarial.
 - 3. \$2,000.00 Office and Travel.
 - a. \$14,000.00 total budget per social worker.
- C. Case load per worker (30).
 - 1. \$ 466.00 Social Worker per child.
 - 2. \$1200.00 Board and Room per child.
 - 3. \$ 300.00 Clothing per child.
 - 4. \$ 300.00 Medical Care per child.
 - a. \$2,266.00 total per child.

Conclusion: Direct. Economic justification is indicated by comparison of figures above. Indirect benefits are, reduction of capital investments in institutions and more and quicker return to society. The end result is a direct savings to taxpayers that is not even reflected above. The humane advantages are obvious.

MEETING WITH WELFARE—ADOPTIONS PRIMARILY

Discussed:

- I. State Welfare Primary Organization.
 - A. Licenses other private agencies
 - 1. Catholic.
 - 2. Lutheran.
 - 3. Methodist.
 - a. Private agencies deal 90% in unwed mothers.
 - b. Adopt out children of unwed mothers.
 - c. Handle about 150 adoptions yearly.
- II. State Department yearly workload 1400 cases.
 - A. Referred from:
 - 1. Courts.
 - 2. Doctors.
 - 3. Clergy.
 - 4. Neighbors.
 - 5. Police.
 - B. Approximately 1000 returned to own home environment.
 - 1. Many involving return to own home with new environment.
 - 2. Temporary foster home.
 - 3. Trial period (follow-up observation and adaptability).
 - C. The older the child generally, the harder it is to find home.
 - 1. Older parents 30-35 are encouraged to take older children.

D. Payments to foster homes.

1. Food, clothing and shelter \$42.50 per month.
 - a. County \$21.25.
 - b. State \$21.25.
2. \$11.00 extra from county for all children.
3. \$ 7.00 extra from county for teenagers.

E. Procedures as apply to parents.

1. Initial requests to agency made.
 - a. All parents called to first meeting.
 - b. Children's pictures shown.
 1. 25% dropped at this point.
 - c. Profile cards drawn up on 75%.
 - d. Social workers correlate child—and vice versa.
 - e. Parent notified of availability.
 - f. Meeting arranged where prospective parents see child.
 1. Child not aware of this.
 - g. Further screening and physical exam of parents.
 - h. Trial period—follow-up observation.
 - i. Final adoption.

CHRISTIENSEN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

March 3, 1965 at 3:15 p.m.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 56, 333, 91, 427, 147, 92, 290, 354, 243, 311, 236, Senate Substitute for House Bills Nos. 495, 405, 477, 402, 189, 469, 386, 283, House Bills Nos. 256, 317, 397, 384.

TIM BABCOCK, Governor,
By Jeannie Morris.

MESSAGE FROM THE SENATE

March 2, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 506, introduced by Ways and Means Committee was this day read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,
ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the rules be temporarily suspended to permit bills that passed Second Reading be placed on Third Reading. Motion was carried by unanimous consent.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 3 failed to pass by the following vote:

Ayes: Bailey, Bardanouve, Bashor, Bollinger, East, Egan, Eskildsen, Felt, Fischer, Gill, Gunderson, Haines, Hall, Hanks, Harper, James, Jenkins, Johnson, Laas, Lewis, MacCalman, McDonald, McNamer, McOmber, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Raundal, Rehberg, Selstad, Sheehy, Slaby, Stranahan, Swanz, Twedt, Ulmer, Zimmer. Total 40.

Noes: Aasheim, Asbjornson, Atkins, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, Eklund, Falkenstern, Flynn, Garrison, Gilfeather, Healy, Holtz, Jensen, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, Mather, McNamara, Nelson, Nutting, Pierce, Prevost, Rygg, Sartz, Schepens, Scherf, Schye, Shugrue, Smiley, Smith, Spilde, Sullivan, Tooke, Tracy, Watt, Williams, Willits, Woodward. Total 49.

Absent or not voting: Boughton, Brenner. Total 2.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

House Bill No. 208 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Eklund, Falkenstern, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Smiley, Spilde, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodward, Zimmer. Total 79.

Noes: Bardanouve, Bollinger, Egan, Eskildsen, Hanks, Laas, Raundal, Selstad, Smith, Stranahan. Total 10.

Absent or not voting: Boughton, Felt. Total 2.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

House Bill No. 346 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lombardi, Lucas, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Willits, Zimmer. Total 70.

Noes: Casey, Dye, East, Garrison, James, Jenkins, Loman, Lund, MacCalman, Nelson, Selstad, Smiley, Spilde, Swanz, Ulmer, Williams, Woodward. Total 18.

Absent or not voting: Boughton, Crum, Lewis. Total 3.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

House Bill No. 514 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gunderson, Haines, Hall,

Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer. Total 84.

Noes: Garrison, James, Smith, Spilde, Williams, Woodard. Total 6.

Absent or not voting: Boughton. Total 1.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 9 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 89.

Noes: None.

Absent or not voting: Boughton, Sullivan. Total 2.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Lewis, Loman, Lombardi, Lucas, Lund, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Schepens, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer. Total 80.

Noes: Casey, Garrison, Jenkins, Leuthold, MacCalman, Raundal, Scherf, Smith, Williams, Woodard. Total 10.

Absent or not voting: Boughton. Total 1.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

Senate Amendments to House Bill No. 100 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gunderson, Haines,

Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCallman, Mather, McDonald, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Schye, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer. Total 90.

Noes: None.

Absent or not voting: Boughton. Total 1.

Excused: Gerke, Gilligan, Mr. Speaker. Total 3.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

March 3, 1965

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees, heretofore employed by the Committee on Legislative Administration of the House, be dropped from the payroll effective as of March 5, 1965:

Name	Position
O. Leon Anderson	1st Sgt.-at-Arms
John Harrington	Doorman
Curtis Coleman	Assistant Sgt.-at-Arms
Marguerite O'Grady	Secretary to Sgt.-at-Arms
William Mufich	Law Clerk
Ruth Gronneberg	Steno to Law Clerk
Rev. E. P. O'Neill	Chaplain
Esther Schmidt	Assistant Enrolling Clerk
Etta Cummings	Engrossing Clerk
Mary Morrison	Assistant Engrossing Clerk
Mary Marron	Judiciary Stenographer
Dorothy Erickson	State Administrative Secretary
Vera Lansing	Appropriations Sub-Committee Sec.
Dora Wines	Chief Stenographer
Carol Brown	Stenographer
Donna Capps	Stenographer
Susan Coburn	Stenographer
Joyce Connors	Stenographer
Shirley Davy	Stenographer
Claudia Frelich	Stenographer
Shirley Miller	Stenographer
Marian Montieth	Stenographer
Jean Nelson	Stenographer
Anne Wascisin	Stenographer
Josephine Woods	Stenographer
Carol Dunstan	Stenographer
Mary Mockel	Stenographer
Mary Cottingham	Stenographer
Francis Covington	Stenographer
Shirley Amberson	Typist
Barbara Anderson	Typist
Virginia Averill	Typist
Jean Daugherty	Typist
Janet Danzer	Typist
Rena Flynn	Typist
Jane Jones	Typist
Thomas Mulholland	Typist
Delores Wordal	Typist
Elizabeth Grainey	Typist

Name	Position
Tony Polich	Assistant Mimeograph Clerk
Harold Brown	Mimeograph Clerk
Henry Flatow	Mimeograph Clerk
Robert Harschfield	Mimeograph Clerk
Jennie Lee	Mimeograph Clerk
Jeffrie Peterson	Mimeograph Clerk
Patrick Brophy	Mimeograph Clerk
Mary White	Mimeograph Clerk
Eulalie Winter	Mimeograph Clerk
Gary Woods	Mimeograph Clerk
Rita Featherly	Mimeograph Clerk
Carol Sewell	Mimeograph Clerk
Barbara Winans	Chief Proofreader
William Barrett	Proofreader
William Caldwell	Proofreader
William Fluhr	Proofreader
Delta Guthrie	Proofreader
Jane Kufeld	Proofreader
Iola Mahan	Proofreader
Ingeborg Maddio	Proofreader
Matt Oja	Proofreader
Charlene Paulson	Proofreader
Mamie Reinig	Proofreader
Lucille Slaby	Proofreader
Dorothy Tode	Proofreader
Francis Verdi	Proofreader
Forrest Wilkinson	Proofreader
Ethel Bell	Proofreader
Jeannine Date	Proofreader
Helen Heller	Proofreader
Albert Adair	Mail Clerk
Dan Bieri	Mail Clerk
Dorothy Carkeek	Mail Clerk
Joseph Fritch	Mail Clerk
Lewis Leathers	Mail Clerk
Larry Licini	Mail Clerk
James Obstarczyk	Mail Clerk
James R. Coyle	Mail Clerk
Charmaine Bouchey	Elevator
Viola Sullivan	Elevator
Mark Cumming	Page
Jerome Dernback	Page
Rlynn Rockman	Page
James Twedt	Page
Linda Wayrynen	Page
Charles Williams	Page
Edmond Fahey	Doorman
Harvey Sanders	Day Watchman
Alfred Klemme	Night Watchman
Donald Prevost	Night Watchman

We further recommend that Burley Rinke—Watchman and Jerry Harrington—Assistant Sgt.-at-Arms be dropped from the payroll effective March 7, 1965.

BASHOR, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m. Thursday, March 4, 1965. Motion carried.

House adjourned.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

SIXTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 4, 1965

House convened, pursuant, to adjournment, at 10:00 a. m.

Speaker Pro Tem in the Chair. Invocation by the Chaplain.

On roll call all members were present except Dye, Felt, Fischer, Gerke, Gill, McOmber, Schye, Mr. Speaker, excused.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Fifty-ninth Legislative Day, find the same to be correct.

ESKILDSEN, Vice-Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bills Nos. 163 and 532.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 23, respectfully report as follows: That House Resolution No. 23 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 24, respectfully report as follows: That House Resolution No. 24 do pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 16, respectfully report as follows: That House Resolution No. 16 do not pass.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 20, respectfully report as follows: That House Resolution No. 20 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do not pass.

SHEEHY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

March 3, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 484—Introduced by Tracy and Sullivan.

Sincerely yours,

TIM BABCOCK, Governor.

March 3, 1965

Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana
The President of the Senate
39th Legislative Assembly
State Capitol
Helena, Montana

Gentlemen:

I am returning herewith House Bill No. 303 without my approval for the following reasons:

Section 3 of the Bill is unintelligible apparently because it was either mistakenly conceived, mistakenly amended or mistakenly enrolled, but in any event the language of the section defies understanding and thus leads me to this veto.

Sincerely,

TIM BABCOCK, Governor.

The Governor's veto, which requires a 2/3 vote to override, was sustained by the following vote:

Ayes: Atkins, Bardanouve, Bashor, Brenner, Cerovski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 49.

Noes: Asbjornson, Bailey, Bollinger, Boughton, Broeder, Casey, Crum, Delano, East, Falkenstern, Garrison, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Williams, Woodard. Total 36.

Absent or not voting: Aasheim. Total 1.

Excused: Dye, Felt, Fischer, Gerke, Gill, McOmber, Schye, Mr. Speaker. Total 8.

March 3, 1965

Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana
The President of the Senate
39th Legislative Assembly
State Capitol
Helena, Montana

Gentlemen:

I am herewith returning House Bill No. 136, without my approval for the following reasons:

This bill would take from the Governor and place in the State Board of Land Commissioners the authority to appoint the Commissioner of State Lands and Investments.

The State Board of Land Commissioners is a constitutional board made up of the Governor, the Superintendent of Public Instruction, the Secretary of State and the Attorney General. Since it is a four member Board, it is quite possible that the Board would be unable to agree on a Commissioner. In such an event the operation of the Board would be seriously impaired and the interest of the State in its lands and investments endangered.

Long practice and tradition associate the operation of the office of the Commission of State Lands with the Governor's administration. This is fitting and proper and should not be changed. Additionally, I believe an appointment by a single elected Governor makes the selection more responsive to the will of the voters.

I believe that efficient and proper administration of the State Lands and Investment requires that the appointment of the State Commissioner of Lands and Investment remain with the Governor.

Sincerely yours,

TIM BABCOCK, Governor.

The Governor's veto, which requires a 2/3 vote to override, was sustained by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Brenner, Cеровski, Christiansen, Cregg, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 47.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Crum, Delano, East, Falkenstern, Garrison, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Selstad, Smiley, Smith, Spilde, Stranahan, Swanz, Tooke, Ulmer, Williams, Woodard. Total 39.

Absent or not voting: None.

Excused: Dye, Felt, Fischer, Gerke, Gill, McOmber, Schye, Mr. Speaker. Total 8.

March 3, 1965

Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana
President of the Senate
39th Legislative Assembly
State Capitol
Helena, Montana

Gentlemen:

I am returning herewith House Bill No. 56 without my approval, but coupled with a special request. My reasons for my veto of HB 56, in part, will follow.

Meanwhile, my special request will require prompt attention and action.

HB 56, in Section 8, absolutely prohibits the discharge into the atmosphere from any source air contaminants or other material which cause injury, detriment, or nuisance to any considerable number of persons; or to the public; or which endanger the health or safety of such persons or the public; or which cause or have a natural tendency to cause injury or damage to business or property. This prohibition is so broad, when interpreted in conjunction with the all-inclusive definition of "air contaminants" that literally every business in Montana would operate in violation of its terms. There simply are no standards provided in Section 8 as to quantity, quality or duration of air pollution.

The fact that "variances" are provided is hardly any answer. Such a wide discretion is left in the Air Pollution Control Council that no one would know the limits; and I question whether such an arbitrary delegation of Legislative power can be made.

Section 12 is so broad that it seemingly would require permits for every man, woman or child in the state no matter his or her occupation or activity.

However, I am desirous of having a reasonable air pollution control bill enacted by this session. There is presently before the House, Senate Bill No. 191, which is designed to achieve the same basic result as HB 56 without the obnoxious and oppressive provisions. A comparison of the two bills reveals that definitions of "air contaminants" and "air pollution" are substantially alike.

I believe SB 191 takes a more reasonable and realistic approach to the easing of the problems of air pollution. SB 191 passed the Senate unanimously, and I hereby respectfully request that the House give its immediate attention to SB 191. I shall welcome the opportunity to join in retaining clean, pure air in Montana without depriving our residents of their livelihood or subjecting them to the oppressiveness of an omnipotent air pollution control council.

Sincerely yours,

TIM BABCOCK, Governor.

Motion was made by Watt that the veto message from the Governor be referred to the Committee on Constitution, Elections and Federal Relations.

Substitute motion was made by Lucas that the veto message be referred to the Committee on State Administration. Substitute motion lost. Original motion carried.

March 4, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 30.
House Bill No. 53.
House Bill No. 134.
House Bill No. 154.
House Bill No. 191.
House Bill No. 263.
House Bill No. 389.
House Sub. for House Bill No. 339.

Sincerely yours,
TIM BABCOCK, Governor.
March 4, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana

Dear Sir:

It is my purpose in this letter to secure a joint meeting of the Montana House of Representatives and the Montana Senate. I hope to share with you at this meeting some matters of grave importance to the State of Montana.

If this proposed meeting has your approval, I would suggest this joint session being held at the hour of 2:00 p. m. Thursday, March 4, 1965.

Your consideration and confirmation of this request would be greatly appreciated.

Sincerely,
TIM BABCOCK, Governor.

Motion was made by Cerovski that the Speaker accede to the wishes of the Governor and appoint a committee of two to meet with the Governor at a joint session at 2:00 p. m. this day. Motion carried.

Thereupon the Speaker appointed the following committee: Eskildsen and Haines.

Mr. Speaker returned to the Chair.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote, adopted the Joint Conference Committee report on House Amendments to Senate Bill No. 26.

Respectfully,
ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by McDonald that the House reconsider its action taken yesterday in adopting the Legislative Administration Committee report.

Substitute motion was made by Bashor that McDonald's motion be indefinitely postponed. Substitute motion lost.

Substitute motion was made by McDonald that nine employees be retained in Enrolling.

Bashor, having voted on the prevailing side, made a substitute motion for all motions pending that the House reconsider the entire report of the Legislative Administration Committee of March 2. Substitute motion carried.

The following resolution was introduced, read first time and referred to Committee:

House Resolution No. 25, introduced by Ulmer, Broeder, Eskildsen, Wayrynen: A Resolution of the House of Representatives of the State of Montana establishing an interim committee to conduct a comprehensive study of the administration and operation of the Montana Highway Department in cooperation with the Highway Commission and report the findings and recommendations of this study to the Fortieth Legislative Assembly. Referred to Committee on Highways.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time and referred to Committee:

House Bill No. 534, introduced by Ulmer, Broeder, Eskildsen, Wayrynen: A bill for an act entitled: "An act to appropriate money to an interim committee of the House of Representatives for a study of the administration and operation of the Highway Department." Referred to Committee on Appropriations.

SPECIAL ORDER OF BUSINESS
REAPPORTIONMENT

The following reapportionment plans were discussed by their authors and sponsors:

Motion was made by Mather that House Bills 88 and 115 be considered together. Motion carried.

House Bills Nos. 88 and 115—Mather.

House Bill No. 515—Crum, Selstad, Smiley.

House Bill No. 516—Judge.

House Bill No. 518—Gilfeather.

House Bill No. 521—Hall, Gunderson.

Motion was made by Sheehy that the House proceed with voting on the above plans.

Substitute motion was made by Aasheim that the House hear House Resolutions Nos. 18 and 19 at this sitting. Original motion was withdrawn by Sheehy.

The following reapportionment resolutions were discussed by their authors:

House Resolution No. 18—Aasheim.

Motion was made by Mather to amend House Resolution No. 18 by deleting paragraphs 1 and 2 on page 2.

Substitute motion was made by Sheehy that House Resolution No. 18 be placed at the bottom of the list. Original motion by Mather was withdrawn.

House Resolution No. 19—Tracy.

Motion was made by Sheehy that House Resolution No. 19 be rereferred to Committee on Reapportionment. Motion carried.

Motion was made by Sheehy that the House vote with two questions on each plan as follows:

Question No. 1: Do you favor the enactment of House Bill — over any other bill?

Question No. 2: Would you vote for House Bill — if it were the only alternative?

Substitute motion was made by Aasheim that the House defer action until after the Governor's message at 2:00 p.m. this afternoon. Motion was lost.

Motion was made by Mather that House Bills Nos. 88 and 115 be voted on as one bill. Motion carried.

Motion was made by Selstad that House Bills Nos. 515 and 516 be considered as companion bills and voted on accordingly. Motion carried.

The following reapportionment plans, having been discussed at length, were voted on as follows:

House Bills Nos. 88 and 115, Question No. 1:

Ayes: Hall, Jensen, Loman, Lucas, Lund, Mather, Rehberg, Smith, Spilde, Swanz, Ulmer. Total 11.

Noes: Aasheim, Asbjornson, Atkins, Bailey, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gilfeather, Gilligan, Gunderson, Haines, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, MacCalman, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Sartz, Scherf, Selstad, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Twedt, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 67.

Absent or not voting: Bardanouve, Bashor, Deschamps, Hanks, McNamer, O'Leary, Pierce, Rygg, Schepens, Smiley. Total 10.

Excused: Dye, Fischer, Gerke, Gill, McOmber, Schye. Total 6.

House Bills Nos. 88 and 115, Question No. 2:

Ayes: Bailey, Bollinger, Casey, Christiansen, Felt, Gilfeather, Hall, Healy, Jensen, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, Meccage, Nutting, Rehberg, Selstad, Sheehy, Shugrue, Spilde, Sullivan, Swanz, Tracy, Ulmer, Willits, Zimmer. Total 28.

Noes: Aasheim, Asbjornson, Atkins, Boughton, Brenner, Broeder, Cerovski, Cregg, Crum, Cummings, Delano, East, Egan, Eklund, Eskildsen, Falkenstern, Flynn, Garrison, Gilligan, Gunderson, Haines, Hanks, Harper, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, McDonald, McNamara, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Slaby, Smith, Stranahan, Tooke, Twedt, Watt, Williams, Woodard, Mr. Speaker. Total 53.

Absent or not voting: Bardanouve, Bashor, Deschamps, McNamer, O'Leary, Pierce, Smiley. Total 7.

Excused: Dye, Fischer, Gerke, Gill, McOmber, Schye. Total 6.

House Bills No. 515 and 516, Question No. 1:

Ayes: Crum, Felt, Selstad. Total 3.

Noes: Aasheim, Asbjornson, Atkins, Bailey, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, East, Egan, Eklund, Eskildsen, Falkenstern, Flynn, Garrison, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 78.

Absent or not voting: Bardanouve, Bashor, Deschamps, McNamer, O'Leary, Pierce, Smiley. Total 7.

Excused: Dye, Fischer, Gerke, Gill, Schye, McOmber. Total 6.

House Bills No. 515 and 516, Question No. 2.

Ayes: Bailey, Bollinger, Christiansen, Crum, Falkenstern, Felt, Jensen, Rehberg, Selstad, Ulmer, Watt, Williams. Total 12.

Noes: Aasheim, Asbjornson, Atkins, Boughton, Brenner, Broeder, Casey, Cerovski, Cregg, Cummings, Delano, East, Egan, Eklund, Eskildsen, Flynn, Garrison, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Rygg, Sartz, Schepens, Scherf, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Willits, Woodard, Zimmer, Mr. Speaker. Total 69.

Absent or not voting: Bardanouve, Bashor, Deschamps, McNamer, O'Leary, Pierce, Smiley. Total 7.

Excused: Dye, Fischer, Gerke, Gill, McOmber, Schye. Total 6.

House Bill No. 518, Question No. 1:

Ayes: Atkins, Bailey, Bollinger, Casey, Cerovski, Christiansen, Cregg, Cummings, Eskildsen, Gilfeather, Hall, Hanks, Harper, Healy, Johnson, Judge, Lewis, Lombardi, MacCalman, McNamara, Nefzger, Prevost, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Watt, Zimmer. Total 33.

Noes: Aasheim, Asbjornson, Boughton, Brenner, Broeder, Crum, Delano, East, Egan, Eklund, Falkenstern, Felt, Flynn, Garrison, Gilligan, Gunderson, Haines, Holtz, James, Jenkins, Jensen, Laas, Leuthold, Loman, Lucas, Lund, Mather, McDonald, Meccage, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Raundal, Rehberg, Rygg, Sartz, Selstad, Smith, Spilde, Swanz, Twedt, Ulmer, Williams, Willits, Woodard, Mr. Speaker. Total 48.

Absent or not voting: Bardanouve, Bashor, Deschamps, McNamer, O'Leary, Pierce, Smiley. Total 7.

Excused: Dye, Fischer, Gerke, Gill, McOmber, Schye. Total 6.

House Bill No. 518, Question No. 2:

Ayes: Aasheim, Atkins, Bailey, Bollinger, Casey, Cerovski, Christiansen, Cregg, Cummings, East, Eskildsen, Flynn, Gilfeather, Gilligan, Gun-

derson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, MacCalman, McDonald, McNamara, Meccage, Nefzger, Nichols, Obstarczyk, Prevost, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Tooke, Tracy, Watt, Willits, Zimmer. Total 45.

Noes: Asbjornson, Boughton, Brenner, Broeder, Crum, Delano, Egan, Eklund, Falkenstern, Felt, Garrison, Haines, James, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, Mather, Nelson, Nutting, O'Hair, Raundal, Rehberg, Rygg, Sartz, Selstad, Smith, Spilde, Swanz, Twedt, Ulmer, Williams, Woodard, Mr. Speaker. Total 36.

Absent or not voting: Bardanouve, Bashor, Deschamps, McNamer, O'Leary, Pierce, Smiley. Total 7.

Excused: Dye, Fischer, Gerke, Gill, McOmber, Schye. Total 6.

House Bill No. 521, Question No. 1:

Ayes: Aasheim, Gilligan, Gunderson, Hall, Harper, Holtz, Johnson, Lewis, Obstarczyk, O'Hair, Prevost, Schepens, Twedt, Willits. Total 14.

Noes: Asbjornson, Atkins, Bailey, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gilfeather, Haines, Hanks, Healy, James, Jenkins, Jensen, Judge, Laas, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Raundal, Rehberg, Rygg, Sartz, Scherf, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 67.

Absent or not voting: Bardanouve, Bashor, Deschamps, McNamer, O'Leary, Pierce, Smiley. Total 7.

Excused: Dye, Fischer, Gerke, Gill, McOmber, Schye. Total 6.

House Bill No. 521, Question No. 2:

Ayes: Aasheim, Bailey, Bollinger, Brenner, Casey, Christiansen, Cregg, Cummings, East, Flynn, Gilfeather, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Johnson, Lewis, Lombardi, McDonald, Obstarczyk, Prevost, Schepens, Scherf, Sheehy, Shugrue, Slaby, Stranahan, Tracy, Twedt, Watt, Willits, Zimmer. Total 34.

Noes: Asbjornson, Atkins, Boughton, Broeder, Cerovski, Crum, Delano, Egan, Eklund, Eskildsen, Falkenstern, Felt, Garrison, Haines, Hanks, James, Jenkins, Jensen, Judge, Laas, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Raundal, Rehberg, Rygg, Sartz, Selstad, Smith, Spilde, Sullivan, Swanz, Tooke, Ulmer, Williams, Woodard, Mr. Speaker. Total 47.

Absent or not voting: Bardanouve, Bashor, Deschamps, McNamer, O'Leary, Pierce, Smiley. Total 7.

Excused: Dye, Fischer, Gerke, Gill, McOmber, Schye. Total 6.

Motion was made by Sheehy that House Resolution No. 18 be referred to Committee on reapportionment. Motion carried.

Motion was made by Judge that the House consider House Bills Nos. 242 and 84 in this special order of business. Motion carried.

Motion was made by Cerovski that the Special Order of Business be recessed and resumed this afternoon to consider House Bills Nos. 242 and 84. Motion carried.

House recessed.

AFTERNOON SESSION

The President of the Senate, occupying the Chair for the joint session, appointed the following to escort the Governor: Senator Gerard, Senator Dussault, Representative Cerovski, and Representative Lucas.

His Excellency, Tim Babcock, then appeared and was escorted to the rostrum. After being presented to the assembly by the President of the Senate, he delivered the following address:

GOVERNOR BABCOCK'S MESSAGE TO JOINT SESSION

March 4, 1965

It is perhaps fitting that the closing hours of this 39th Legislative Assembly should be marked by this joint meeting between you, the members of this 39th Session, and myself, representing the Executive Department. For, just as my appearance before you nearly 60 days ago signified, there are many common bonds that unite the legislative and executive branches of our government. I am sure that at times many people lose sight of the fact that both the Legislature and the Governor are walking the same path—that of service to today's and tomorrow's generations of Montana citizens.

The oaths of office each of us take are exactly the same. We are sworn to uphold the same principles. We are responsible to the same employer. Thus, it is only proper that we should convene again for joint consultation on matters that concern us all. In responding to my request to visit with you once more, I realize you are allowing me to impose on your time when that time is running out.

For this courtesy, I am grateful, and I assure you I shall not intentionally violate the respect you have shown to the office of Governor of this State.

In making this request, I considered it my duty to do so. Had I chosen not to, I would have felt remiss in my office. For, what I want to discuss with you has far-reaching implications on all present and future citizens of this State. I, of course, am referring to our immediate long-range building program for our state's educational and custodial institutions—and the best means of financing such a program. This would include our concern for a balanced budget.

These matters have been at the core of your deliberations. In devoting days and nights to exploring various proposals concerning these important state matters, many of you have performed outstanding service to your state. I want to commend you for this.

Yesterday, the latest of these proposals—Senate Substitute for HB 512, was introduced for your consideration.

As you know, from a study of this bill, it proposes two sources of revenue for paying off bonds to finance our much-needed state building program. The first source is five percent of our personal and corporate license taxes that are paid into the General Fund. The other source is three cents of the present cigarette tax—provided the people approve of this in an election to be held in 1966.

I feel it incumbent upon me to comment on this measure and in doing so point out what I believe are some of its ramifications. I realize this latest version of House Bill No. 512 is a hard-sought-for compromise forged from a bond financing plan that had my administration's backing at the outset of this session.

Already I have signed into law during this session many measures that represent compromises reached by the members of this Legislative Assembly. However, in all honesty to the people of Montana, I find myself

unable to compromise good business principles in considering this latest bond-financing proposal.

The first business principle I feel this measure violates is that of endangering funds already obligated for the general operation of our government. I am, of course, referring to the pledging of 5% of our personal and corporate income taxes to finance the bonds. Regardless of what may be the final outcome of your voting on appropriation and revenue bills, I believe we can all agree that the General Fund, if it is to remain in balance, needs every cent of revenue it is now receiving.

We cannot afford to divert general fund revenues in these inflationary times when the demand for new services is mounting—as is so well evidenced by the many enactments of this Legislature.

Our obligations are almost overwhelming—but we must meet them!

By the best possible appraisal of present and pending legislation, the sums to be diverted from the general fund equal the deficit we can anticipate. . . almost exactly.

In light of this, I do not hesitate to implore you to reconsider this last proposal to commit the revenues of the general fund to the payment of bond obligations.

The effect of earmarking these funds is to freeze our income tax rates at the present level at least for the entire life of the bonds. For 20 or 30 years, then, Montana taxpayers could not expect any income tax relief. This simply disregards any economic growth in the state that could swell our tax collections during this period. It also fails to take into account other possible tax sources that might be adopted in the wisdom of the Legislature. I cannot help but believe that you would concur that this state's biggest business should not place itself in this taxing straitjacket.

It is estimated that this 5% of the income taxes for the next biennium will represent nearly 2½ million dollars of General Fund revenues.

According to bonding authorities, this sum will allow the sale of bonds to support a bare minimal building program. This state's immediate needs make it imperative that a fullscale building program be undertaken this year. In addition to what is required on our university campuses to accommodate the increasing numbers of students, we are faced with dire circumstances in other areas of state government.

To bring things close to home, for example, our State Architects advise me that this capitol building is a real public hazard. And yet, the funds to complete the renovation are not being provided. The elimination of a new Helena Armory will deny us the use of the present Armory for highway patrol headquarters which are presently located in rented offices.

There are several other features about this latest proposal that deserve your attention.

The more complicated method for financing, coupled with the unnecessary extended term of the bonds, makes them more costly. Finally, there is the unresolved question of whether or not the 1966 3c cigarette tax proposal will be approved by the voters.

It is with this abiding conviction, and because of genuine concern for the adequacy of the proposals as presently worded, that I plead of you to take a new and fresh look at our position.

I am sufficiently practical to recognize that, on occasions, partisanship will influence our actions. But I beseech you not to allow it to be so in a matter as grave as this.

To slash the political veins of the Governor is the privilege of the opposition.

But I implore that, in doing so, you do not bleed white the hopes of your children or your neighbors' children as they look forward to an opportunity which will provide them an unfettered start in their race with graduates from schools of other states.

Let us, together, rise above the disagreements which may separate us and, in a spirit of complete and mutual dedication to our assignment, solve this one great problem.

It is not too late to remove from the proposed building program the commitments of our general revenues. It is not too late to amend this proposal to incorporate the provisions found in the original HB 114, a bill which was carefully drafted by competent legal counsel only after hours, weeks and months of careful attention—drafted so it would protect the State and the bondholder, meet the exacting requirements of public financing, yet fulfill the need that exists.

My sole purpose here today is to inform you that I will give thorough and objective consideration to any building proposal which you might send to me.

However, I entreat you once more to study the sound, workable and understandable program which was recommended early in this session and which can be retrieved even at this late hour.

Let us, together, give our youth and our wards the attention they, in this matter, deserve.

As I indicated at the opening day of the session, I would again be pleased to meet with any of your committees for further discussions.

SPECIAL ORDER OF BUSINESS REAPPORTIONMENT

Motion was made by Cerovski that the House convene itself into a Special Order of Business to consider House Bills No. 84 and 242. Motion carried.

The following reapportionment plans, having been discussed at length, were voted on as follows:

House Bill No. 84, Question No. 1:

Ayes: Asbjornson, Broeder, Casey, Egan, Flynn, Garrison, Haines, Hanks, James, Leuthold, Lewis, Nefzger, Nichols, Nutting, Rygg, Stranahan. Total 16.

Noes: Aasheim, Atkins, Bailey, Bollinger, Boughton, Brenner, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Eklund, Eskildsen, Falkenstern, Felt, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nelson, O'Hair, O'Leary, Prevost, Rehberg, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smith, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Willets, Woodard, Zimmer, Mr. Speaker. Total 61.

Absent or not voting: Bardanouve, Bashor, Deschamps, Jenkins, McNamer, Obstarczyk, Raundal, Spilde, Sullivan, Williams. Total 10.

Excused: Fischer, Gerke, McOmber, Pierce, Scherf, Schye, Smiley. Total 7.

House Bill No. 84, Question No. 2:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Dye, East, Egan, Felt, Flynn, Gilfeather, Gill, Haines, Hall, Hanks, Harper, Healy, Holtz, Jenkins, Jensen, Leuthold, Lewis, Loman, Lombardi, Lucas, MacCalman, McDonald,

Nefzger, Nichols, Nutting, O'Hair, Prevost, Rygg, Sheehy, Slaby, Stranahan, Tooke, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 49.

Noes: Brenner, Cregg, Crum, Cummings, Delano, Eklund, Eskildsen, Falkenstern, Garrison, Gilligan, Gunderson, James, Johnson, Judge, Laas, Lund, Mather, McNamara, Meccage, Nelson, O'Leary, Raundal, Rehberg, Sartz, Schepens, Selstad, Shugrue, Smith, Woodard. Total 29.

Absent or not voting: Bardanouve, Bashor, Deschamps, McNamer, Obstarczyk, Spilde, Sullivan, Swanz, Williams. Total 9.

Excused: Fischer, Gerke, McOmber, Pierce, Scherf, Schye, Smiley. Total 7.

House Bill No. 242, Question No. 1:

Ayes: Brenner, Cerovski, East, Eklund, Falkenstern, Garrison, Gill, Hall, Harper, Healy, Jenkins, Lewis, Lombardi, Lund, McDonald, Meccage, Nefzger, O'Hair, O'Leary, Prevost, Raundal, Sartz, Sheehy, Shugrue, Spilde, Stranahan, Sullivan, Tracy, Williams, Mr. Speaker. Total 30.

Noes: Aasheim, Asbjornson, Atkins, Bailey, Bollinger Boughton, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Dye, Egan, Eskildsen, Felt, Flynn, Gilfeather, Gilligan, Gunderson, Haines, Hanks, Holtz, James, Jensen, Johnson, Judge, Laas, Loman, Lucas, MacCalman, Mather, McNamara, Nelson, Nichols, Nutting, Obstarczyk, Rehberg, Rygg, Schepens, Selstad, Slaby, Smith, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer. Total 52.

Absent or not voting: Bardanouve, Bashor, Deschamps, Leuthold, McNamer. Total 5.

Excused: Fischer, Gerke, McOmber, Pierce, Scherf, Schye, Smiley. Total 7.

House Bill No. 242, Question No. 2:

Ayes: Aasheim, Bailey, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, East, Eklund, Eskildsen, Falkenstern, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Jenkins, Leuthold, Lewis, Lombardi, Lund, MacCalman, McDonald, Meccage, Nefzger, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Sheehy, Shugrue, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Twedt, Ulmer, Watt, Williams, Willits, Zimmer, Mr. Speaker. Total 53.

Noes: Asbjornson, Atkins, Boughton, Cregg, Crum, Delano, Egan, Felt, Garrison, Haines, Hanks, James, Jensen, Johnson, Judge, Laas, Loman, Lucas, Mather, McNamara, Nelson, Nichols, Nutting, Obstarczyk, Rehberg, Schepens, Selstad, Slaby, Woodard. Total 29.

Absent or not voting: Bardanouve, Bashor, Deschamps, Dye, McNamer. Total 5.

Excused: Fischer, Gerke, McOmber, Pierce, Scherf, Schye, Smiley. Total 7.

Motion was made by Nutting, that a record vote be taken on the desirability of subdistricting within a multi-member legislative district.

Motion by Nutting was amended by Sheehy as follows: That the House express itself in favor of subdistricting multi-member districts, providing it is constitutionally permissible. Motion, as amended, was carried by the following vote:

Ayes: Aasheim, Atkins, Bailey, Bollinger, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, East, Egan, Eklund, Flynn, Garrison,

Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, James, Jenkins, Judge, Laas, Lewis, Lombardi, Lund, MacCalman, McNamara, Meccage, Nefzger, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Sheehy, Shugrue, Smith, Stranahan, Sullivan, Swanz, Tracy, Watt, Williams, Zimmer, Mr. Speaker. Total 52.

Noes: Asbjornson, Brenner, Crum, Delano, Dye, Falkenstern, Felt, Haines, Hanks, Jensen, Johnson, Leuthold, Loman, Lucas, Mather, McDonald, Nelson, Nichols, Nutting, Obstarczyk, Rehberg, Selstad, Slaby, Spilde, Twedt, Ulmer, Woodard. Total 27.

Absent or not voting: Bardanouve, Bashor, Boughton, Deschamps, Eskildsen, McNamer, Tooke, Willits. Total 8.

Excused: Fischer, Gerke, McOmber, Pierce, Schye, Smiley, Scherf. Total 7.

CONFERENCE COMMITTEE REPORTS

March 3, 1965

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider Senate amendment to House Bill No. 517, respectfully recommend as follows:

That the Senate recede from the Senate amendment to Section 1, subsection (2), page 4, line 20 of the original bill, being page 4, Section 1, subsection (2), line 90 of the printed bill, by striking the period "." after the word "store" and adding the following words: "or a drugstore licensed as a pharmacy."

And as amended, be adopted.

For the Senate:

THIESSEN, Chairman,
CUMMING,
TURNAGE.

For the House:

BASHOR,
ESKILDSSEN,
CRUM.

Motion was made by Bashor that the Conference Committee report be adopted.

Substitute motion was made by Felt that the House reject the Conference Committee report and that the Speaker appoint a second Conference Committee. Substitute motion carried.

March 4, 1965

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee appointed to consider Senate Bill No. 168 respectfully recommend that:

The House recedes from House amendments of the Committee of the Whole to Senate Bill No. 168;

And be it further amended as follows:

Amend the title page 1, line 11 of the original bill, being page 1, line 8 of the title of the printed bill, by striking after the figures "1947" the period and quotation marks and inserting in lieu thereof the following punctuation and words: "; providing for an effective date of July 1, 1966."

And further amend Section 2, page 2, line 29 of the original bill, being Section 2, page 3, line 19 of the printed bill, by striking the words and figures "five hundred (500) feet" and inserting in lieu thereof the words and figures "one hundred and fifty (150) feet in cities, and approximately five hundred (500) feet in other areas".

And further amend after Section 4, page 5, line 7 of the original bill being after Section 4, page 6, line 55 of the printed bill by adding the following words, figures and punctuation:

"Section 5. This act shall be in full force and effect from and after July 1, 1966."

And recommend that the same be adopted.

For the Senate:

COTTON,
BOVEY,
THOMAS.

For the House:

AASHEIM,
CUMMINGS,
RYGG.

Speaker Pro Tem in the Chair.

Conference Committee report on Senate Bill No. 168 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Dye, East, Egan, Eklund, Falkenstern, Flynn, Garrison, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Watt, Williams, Woodard, Mr. Speaker. Total 77.

Noes: None.

Absent or not voting: Bardanouve, Crum, Deschamps, Eskildsen, Felt, McNamer, Twedt, Willits, Zimmer. Total 9.

Excused: Fischer, Gerke, Gill, McOmber, Pierce, Scherf, Schye, Smiley. Total 8.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day appointed the following Conference Committee to consider Senate Amendments to House Bill No. 9:

Senator Huntley, Senator Bovey, Senator Turnage.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 242, introduced by Sheehy, was this day recommended for non-

concurrence by the Senate Reapportionment Committee, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Loman, having voted on the prevailing side, moved that the House reconsider its action in adoptiing an unfavorable vote on House Bill No. 3 yesterday. Motion carried. Division having been called for, the following vote resulted: Ayes: 40, Noes: 40. Motion was announced as lost.

Felt, on a point of information, rose to inform the Speaker Pro Tem that the Chairman was entitled to vote twice in the event of a tie vote. Question arose in the fact this could not be done at this point since the vote and decision had already been announced.

Motion was made by Cerovski that the question be referred to the Rules Committee. Motion was carried.

Motion was made by Cerovski that the House recess, subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration a motion from the floor on House Bill No. 3, respectfully report as follows: The motion to reconsider having been announced by the Chair as being lost, this, under Rule 5-5 makes the question finally and conclusively settled.

CEROVSKI, Chairman.

Motion was made by Cerovski that the Committee Report be adopted.

Substitute motion was made by Felt that the report of the Rules Committee be rejected, and that another machine vote be taken. Substitute motion lost.

Report adopted.

MOTIONS AND RESOLUTIONS

Smith, having voted on the prevailing side, moved that the House reconsider its action in acting favorably on House Bill No. 34, that a roll call vote be taken, with the results thereof spread on the Journal. Motion was lost by the following vote:

Ayes: Bollinger, Boughton, Casey, Delano, Dye, East, Falkenstern, Felt, Garrison, Gilfeather, James, Jensen, Loman, Lucas, Lund, MacCallman, Mather, McNamer, Nichols, Pierce, Selstad, Sheehy, Smith, Swanz, Tooke Ulmer, Williams, Willits, Woodard, Zimmer. Total 30.

Noes: Asbjornson, Atkins, Bailey, Bardanouve, Brenner, Broeder, Cerovski, Cregg, Crum, Cummings, Egan, Eklund, Eskildsen, Flynn, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Lombardi, McDonald, McNamara, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rygg, Sartz, Schepens, Shurgrove, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt. Total 48.

Absent or not voting: Aasheim, Bashor, Christiansen, Deschamps, Haines, Jenkins, Rehberg, Spilde, Mr. Speaker. Total 9.

Excused: Fisher, Gerke, Gill, McOmber, Scherf, Schye, Smiley. Total 7.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole having had under consideration business under Second Reading, recommend the following:

That House Bill No. 533 be placed at the bottom of the list.

That consideration of House Bill No. 434 be postponed for this sitting.

That Senate Amendments to House Bill No. 506 be concurred in.

That House Bill No. 533 do pass.

That the Committee rise and report and beg leave to sit again.

ESKILDSSEN, Chairman.

Motion was made by Eskildsen that the report be adopted.

Substitute motion was made by Cerovski that House Bill No. 533 be segregated from the Committee of the Whole report. Substitute motion carried. Report adopted as amended.

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That consideration of House Bill No. 434 be passed for this sitting.

That House Bill No. 533 be amended in Section 1, page 2, line 7 of the original bill by striking the words "the general fund", and inserting in lieu thereof the words "earmarked revenue".

And as so amended, do pass.

That the Committee rise and report and beg leave to sit again.

ESKILDSSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 163 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bolinger, Boughton, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mathner, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz,

Schepens, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Christiansen, Deschamps, McNamer, Tracy, Willits. Total 5.

Excused: Gerke, McOmber, Pierce, Scherf, Schye, Smiley. Total 6.

House Bill No. 532 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 82.

Noes: None.

Absent or not voting: Christiansen, Deschamps, Hanks, McNamer, Tracy, Willits. Total 6.

Excused: Gerke, McOmber, Pierce, Scherf, Schye, Smiley. Total 6.

House Bill No. 533 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nutting, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Willits, Woodard, Zimmer, Mr. Speaker. Total 80.

Noes: Cummings, Harper. Total 2.

Absent or not voting: Bardanouve, Christiansen, Deschamps, McNamer, Nichols, Tracy. Total 6.

Excused: Gerke, McOmber, Pierce, Scherf, Schye, Smiley. Total 6.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 506 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jenkins, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Ob-

starczyk, O'Hair, O'Leary, Prevost, Raundal, Rehberg, Rygg, Sartz, Schepens, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Williams, Woodard, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Christiansen, Deschamps, McNamer, Tracy, Willits. Total 5.

Excused: Gerke, McOmber, Pierce, Scherf, Schye, Smiley. Total 6.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 26, House Joint Resolution No. 37, House Bill No. 49, House Joint Resolution No. 27, House Bills Nos. 280, 173, 121, 324, 407.

HARPER, Chairman.

I have examined House Bill No. 407 introduced by me and find the same to be correct.

TRACY.

I have examined House Bill No. 324 introduced by me and find the same to be correct.

TRACY.

I have examined House Bill No. 121 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 173 introduced by me and find the same to be correct.

HEALY.

I have examined House Bill No. 280 introduced by me and find the same to be correct.

WATT.

I have examined House Joint Resolution No. 37 introduced by me and find the same to be correct.

HALL.

I have examined House Bill No. 49 introduced by me and find the same to be correct.

SHEEHY.

I have examined House Joint Resolution No. 27 introduced by me and find the same to be correct.

WILLITS.

I have examined House Joint Resolution No. 26 introduced by me and find the same to be correct.

LOMAN.

The Speaker signed the following in open session, the titles having first been read: House Joint Resolution No. 27, House Bill No. 280, House Joint Resolutions Nos. 26 and 37, House Bills Nos. 49, 173, 121, 324, 407.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 170, 7, 139, 211, 158, 91, 120, 179, 173, 95, 59 and 150.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 326, House Joint Resolution No. 23, House Bill No. 100.

HARPER, Chairman.

I have examined House Bill No. 100 introduced by me and find the same to be correct.

GILL.

I have examined House Bill No. 326 introduced by me and find the same to be correct.

TWEDT.

I have examined House Joint Resolution No. 23 introduced by me and find the same to be correct.

CEROVSKI.

The Speaker signed the following in open session, the titles having first been read: House Bills Nos. 100, 326, and House Joint Resolution No. 23.

Motion was made by Cerovski that the House recess, subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 176.

HARPER, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 533.

NELSON, Vice-Chairman.

I have examined House Bill No. 176 introduced by me and find the same to be correct.

AASHEIM.

MESSAGES FROM THE GOVERNOR

March 4, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 355.

Sincerely yours,

TIM BABCOCK, Governor.

March 4, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 7.

House Bill No. 38.

House Bill No. 85.

House Bill No. 261.

House Bill No. 128.

House Bill No. 313.

House Bill No. 164.

House Bill No. 348.

House Bill No. 220.

House Bill No. 387.

House Bill No. 239.

House Bill No. 450.

House Bill No. 240.

House Bill No. 419.

House Bill No. 247.

House Bill No. 423.

House Bill No. 473.

Sincerely yours,

TIM BABCOCK, Governor.

March 4, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

House Bill No. 357.

It should be brought to your attention that this is the bill which requires payments from the Welfare Department of the State of Montana for foster home care. This is an increase in previous scheduled payments. Unless there is an appropriation act to accompany this measure, the act as approved would be ineffective.

Sincerely,

TIM BABCOCK, Governor.

March 4, 1965

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana
Honorable Ted James
President of the Senate
39th Legislative Assembly
State Capitol
Helena, Montana

Gentlemen:

Returned herewith without my approval to House Bill No. 155 for the following reasons:

This bill amends Section 23-807, R.C.M. 1947, by requiring that certain candidates for office file certificates of nomination on or before the primary election day rather than ninety days prior to the general election day as now provided. This conflicts with Senate Bill No. 20 signed by me on March 3, 1965, which Bill amends the same Section 23-807, R.C.M. 1947, by providing that such certificates be filed sixty days prior to election day.

In view of this obvious conflict in the bills, I have no choice but to return H. B. No. 155 without approval.

Sincerely,

TIM BABCOCK, Governor.

The Governor's veto, which requires two-thirds vote to override, was sustained by the following vote:

Ayes: Asbjornson, Boughton, Broeder, Casey, Crum, Delano, Dye, East, Falkenstern, Felt, Garrison, Haines, Jenkins, Jensen, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Selstad, Smiley, Smith, Spilde, Swanz, Tooke, Ulmer, Woodard. Total 34.

Noes: Aasheim, Atkins, Bailey, Bardanouve, Bollinger, Cerovski, Cummings, Eklund, Eskildsen, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, McDonald, McNamara, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Schepens, Sheehy, Slaby, Stranahan, Sullivan, Twedt, Watt, Zimmer, Mr. Speaker. Total 44.

Absent or not voting: Bashor, Brenner, Christiansen, Cregg, Deschamps, Egan, James, McNamer, Shugrue, Tracy, Williams, Willits. Total 12.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The President this day, appointed the following Conference Committee to confer on Senate Amendments to House Bill No. 230:

Senator Davis.

Senator Kafka.

Senator Lehrkind.

In addition, the Senate failed to concur in House amendments to Senate Bill No. 119, requested the President to appoint a Conference Committee of three and requests the House to appoint a similar committee.

Senator Siderius.

Senator Cumming.

Senator Hibbard.

The Senate failed to adopt the Joint Conference Committee report on Senate Amendments to House Bill No. 517, and the president named the second Conference Committee to consider Senate Amendments to House Bill No. 517.

Senator Mahoney.

Senator Huntley.

Senator McDonnell.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 34, introduced by Harper, et al, was this day recommended for non-concurrence by the Senate Finance and Claims Committee, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the Speaker be instructed to appoint a Conference Committee of three to confer with a like committee from the Senate on Senate Bill No. 119. Motion carried.

Motion was made by Cerovski that the Speaker be instructed to appoint a Conference Committee of three to confer with a like committee from the Senate on House Bill No. 517. Motion carried.

Motion was made by Cerovski that the House revert to Order of Business No. 5. Motion carried.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate Amendments.

House Bill No. 519, introduced by Hall, et al.

House Bill No. 504, introduced by McNamara, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Joint Resolution No. 1, introduced by Bardanouve, et al.

House Joint Resolution No. 2, introduced by Bardanouve, et al.

House Joint Resolution No. 12, introduced by Wayrynen, et al.

House Joint Resolution No. 18, introduced by McNamer, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: There should be a report made of the lecture and guide service which you instituted this year. The service commenced on the 8th day of the session after approval by the State Comptroller, the custodian of the capitol building and the State Superintendent of Public Instruction. The Superintendent notified each public and private high school and junior high school in the state of the service.

The service was patterned in such a way that each student would come in contact with each branch of the state government; that is the legislative, executive and judicial branches. The Executive was represented by the Governor, the Judicial by either Chief Justice James Harrison or Associate Justice John Harrison, and of course the legislative by the House and Senate of the assembly. Under each section of the program ample opportunity was given for the asking of questions.

There were 271 groups that availed themselves of the service. There was a total of 10,443 students and their chaperones which used the service. The largest number of visiting in any one day was 901 on February 2, 1965. Roundup High School sent the largest number of students and chaperones in any one day which was 181. These people traveled over 36,000 passenger miles in coming to and returning from the Capital City. Bainville High School travelled the farthest, about 850 miles. The students that were served ranged from the second grade to students of colleges and the university. Independent groups such as boy scouts, girl scouts, camp fire girls, league of women voters and demonstration clubs also used the service.

The subjects covered by the program were, legislative procedure, history of the capitol building, the story of the large Russell painting in the House chamber, the history of the Montana Historical Society, the contents of the Russell Gallery, the Historical Library, and the State Museum in the Pioneers' and Veterans' Memorial Building, the working of the Supreme Court and inferior courts, and finally the work of the Governor's office.

Your lecturer and guide worked under the supervision of the Sergeant-at-Arms of the House who together with his staff rendered every assistance and courtesy.

We wish to thank the members of both bodies and their attaches for the able assistance given and the many courtesies extended to us. Also Tom Kearney, Clerk of Supreme Court and staff for their assistance in handling telephone calls for us. The program could not have functioned without such assistance.

Some method should be found, if the program is continued, to keep students under the 7th grade or Junior High from visiting the legislature. Such students can enjoy the museum but they are too young to understand and appreciate the legislative processes.

During spare time 667 persons were advised as to the locations of various boards, commissions and officers of the state government.

Copies of all letters written and originals of all letters received have been filed with the Chief Clerk.

A daily calendar of the work was maintained in the House and Senate.

Again, I thank you all.

Respectfully submitted,

JOHN JACOB JEWELL,

Lecturer and Guide.

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees, heretofore em-

ployed by the Committee on Legislative Administration of the House, be dropped from the payroll effective as of March 6, 1965:

NAME	POSITION
Jane B. Jones	Typist
Shirley B. Amberson	Typist
Tom Mulholland	Typist
Janet G. Danzer	Typist
Barbara Anderson	Typist
Jean Daugherty	Typist
Josephine Woods	Stenographer
Marion Montieth	Stenographer
Jean Nelson	Stenographer
Donna Capps	Stenographer
Carol Dunstan	Stenographer
Mary Cottingham	Stenographer
Mary Mockel	Stenographer
Frances Covington	Stenographer
Shirley Davy	Stenographer
Susan Coburn	Stenographer
Anne Wascisin	Stenographer
William Barrett	Proofreader
William Caldwell	Proofreader
William Fluhr	Proofreader
Imogene Hansen	Proofreader
Forrest Wilkinson	Proofreader
Iola Mahan	Proofreader
Ingeborg Maddio	Proofreader
Matt Oja	Proofreader
Lucille Slaby	Proofreader
Charlene Paulson	Proofreader
Jeannine Date	Proofreader
Jane Kufeld	Proofreader
D'Elta Guthrie	Proofreader
Mamie Reinig	Proofreader
Dorothy Tode	Proofreader
Tony Polich	Mimeograph Clerk
Harold Brown	Mimeograph Clerk
Henry Flatow	Mimeograph Clerk
Robert Harschfeld	Mimeograph Clerk
Jennie Lee	Mimeograph Clerk
Jeffrie Peterson	Mimeograph Clerk
Gary Woods	Mimeograph Clerk
Patrick Brophy	Mimeograph Clerk
Carol Sewell	Mimeograph Clerk
Rev. E. P. O'Neill	Chaplain
Dorothy Carkeek	Mail Clerk
Lewis Leathers	Mail Clerk
Larry Licini	Mail Clerk
James Coyle	Mail Clerk
Joseph Fritch	Mail Clerk
Mary Jean Morrison	Asst. Engrossing Clerk
Marguerite O'Grady	Secretary to Sgt.-at-Arms

We further recommend that Burley Rinke, Doorman and Jerry Harrington, Assistant Sgt.-at-Arms be dropped from the payroll effective March 7, 1965.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following named House employees, heretofore employed, are to be employed for the post-session for the number of days stated below and to take effect after adjournment. The Sergeant-at-Arms

is instructed to include these names on the supplemental payroll submitted to the State Auditor for the number of days specified.

Name	Position	Number of Days
Walter Marshall	Chief Clerk	10
Juanita Fontana	Clerk to Chief Clerk	10
John Emmons	Sergeant-at-Arms	10
Jeannette Blewett	Journal Clerk	7
Evelyn McEacheron	Assistant Journal Clerk	3
Sara Reid	Journal Stenographer	7
Rosella Dallas	Bill Clerk	7
Myrle Chilton	Assistant Bill Clerk	3
H. Lloyd Blewett	Supply Clerk	10
Mary Cross	Postal Clerk	3
J. A. Sullivan	Payroll Clerk	7
Virginia Michels	Assistant Payroll Clerk	5
Peggy Crawford	Secretary to Speaker	5
Donna Muffick	Appropriations Committee Secretary	15
Bernadine Lee	Typist	5
Agnes Srenar	Chief Mimeograph Clerk	5
William Fearon	Mimeograph Clerk	5
Patricia Scott	Proofreader	3
Joseph Arts	Chief Mail Clerk	5

We, your Committee on Legislative Administration, further recommend that the Honorable Ray J. Wayrynen, Speaker of the House, be allowed mileage incident to his service for signing of the House Journal for the Thirty-Ninth Legislative Assembly, from Butte to Helena, Montana, and returning in the amount of \$10.40.

BASHOR, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 be amended as follows:

1. Amend the title on page 1, lines 4 and 5 of the original bill by deleting the following material: "Twenty-five Thousand Dollars to the Commissioner of State Lands and Investments" and inserting in lieu thereof the words "Five Thousand Dollars to Montana State University".

2. Amend Section 1, page 1, lines 9, 10 and 11, of the original bill by deleting the words "the Commissioner of State Lands and Investments twenty-five thousand dollars (\$25,000.00)" and inserting in lieu thereof "Montana State University (formerly known as Montana State College) five thousand dollars (\$5,000.00)".

3. Amend Section 2, page 1, line 13 of the original bill by deleting the words "The Commissioner of State Lands and Investments" and inserting in lieu thereof the words "Montana State University".

4. Further amend Section 2, page 1, lines 14, 15, 16 and 17, of the original bill, by deleting the sentence beginning "He is authorized" and inserting in lieu thereof the following material: "The Commissioner of State Lands and Investments, the University of Montana and the Economics Department of the Montana Agricultural Experiment Station shall provide Montana State University with information and assistance necessary to the study and shall make available to Montana State University, to the extent possible, the services of persons knowledgeable in the field of land classification, land policy, and economics."

5. Amend Section 3, page 2, line 3 of the original bill, by deleting the words "The Commissioner of State Lands and Investments" and inserting in lieu thereof the words "Montana State University".

And as amended, do pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 534, respectfully report as follows: That House Bill No. 534 do pass.

BARDANOUE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Watt that Senate Bill No. 19 be taken from the Committee on Appropriations and placed on Second Reading. Judge requested a roll call vote, with the results thereof spread on the Journal.

Substitute motion was made by Lucas that Senate Bill No. 19 be referred to the Rules Committee. Substitute motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 434 do pass.

That Senate Amendments to House Bill No. 519 be concurred in.

That Senate Amendments to House Bill No. 504 be concurred in.

That the Committee rise and report and beg leave to sit again.

JUDGE, Chairman.

Report adopted.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 184, 126, 111, 43, 109, and Senate Joint Resolution No. 9.

THIRD READING OF HOUSE BILLS

The following House Bills, having been read three several times, appropriation measures at length, were disposed of in the following manner:

House Bill No. 434 was passed by the following vote:

Ayes: Asbjornson, Bailey, Bardanoue, Bollinger, Brenner, Broeder, Casey, Crum, Delano, Deschamps, Dye, East, Egan, Eklund, Falkenstern, Felt, Fischer, Garrison, Gilfeather, Haines, Hall, Hanks, Harper, Healy, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Rygg, Selstad, Smiley, Smith, Stranahan, Swanz, Tooke, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 57.

Noes: Atkins, Bashor, Cerovski, Christiansen, Cummings, Flynn, Gill, Gilligan, Gunderson, Holtz, Nefzger, Obstarczyk, Sartz, Sheehy, Slaby, Sullivan, Willits. Total 17.

Paired: Schepens, no; James, yes.

Absent or not voting: Boughton, Cregg, Eskildsen, Jenkins, McDonald, O'Leary, Raundal, Rehberg, Scherf, Spilde, Shugrue, Tracy, Twedt, Williams. Total 14.

Excused: Aasheim, Gerke, McOmber, Schye. Total 4.

Senate Amendments to House Bill No. 504 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 77.

Noes: None.

Absent or not voting: Bardanouve, Boughton, Cregg, Flynn, Jenkins, McDonald, Rehberg, Schepens, Scherf, Shugrue, Tracy, Twedt, Williams. Total 13.

Excused: Aasheim, Gerke, McOmber, Schye. Total 4.

Senate Amendments to House Bill No. 519 were concurred in by the following vote:

Ayes: Asbjornson, Atkins, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rygg, Sartz, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Ulmer, Watt, Willits, Woodard, Mr. Speaker. Total 78.

Noes: None.

Absent or not voting: Boughton, Cregg, Jenkins, McDonald, Rehberg, Schepens, Scherf, Shugrue, Tracy, Twedt, Williams, Zimmer. Total 12.

Excused: Aasheim, Gerke, McOmber, Schye. Total 4.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Bill No. 119: Lewis, Chairman, O'Hair and Nutting.

The Speaker appointed the following Conference Committee of three to confer with a like committee from the Senate on Senate Amendment to House Bill No. 517: Holtz, Chairman, Eskildsen and Casey.

Motion was made by Cerovski that the House revert to Order of Business No. 7. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following House Bills were introduced, read first time, appropriation measures at length, and referred to committees:

House Bill No. 535, introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys to the Department of

Public Institutions for capital projects." Referred to Committee on Appropriations.

House Bill No. 536, introduced by Committee on Appropriations: A bill for an act entitled: "An act appropriating moneys to the Montana University System for capital projects, repairs, renovation and remodeling for the biennium ending June 30, 1967." Referred to Committee on Appropriations.

House Bill No. 537, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to certain state agencies for the purchase of land, the repair, remodeling, renovation, construction and furnishing of buildings and other improvements to land." Referred to Committee on Appropriations.

Motion was made by Cerovski that the House recess, subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

March 4, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 407, 326, 100, 176, 280, 49, 173, 121, 324, House Joint Resolutions Nos. 37, 26 and 27, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:35 o'clock, a.m., delivered to the Governor for his approval.

HARPER, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 129, 282, beg leave to report that the same have this date been returned from the printer correctly printed.

JAMES, Vice-Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 434.

NELSON, Bills Committee Member.

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration Senate Bill No. 19, respectfully report as follows: That Rule 6-11 reads "no bill may be introduced or received in a house after that house has finally rejected a bill designed to accomplish the same purpose". Senate Bill No. 19 was received in the House of Representatives on the afternoon of February 4, 1965. House Bill No. 48 was killed by an adverse committee report on the morning of February 4, 1965. Therefore, Rule 6-11 applies and Senate Bill No. 19 cannot be considered by the House of Representatives.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Resolution No. 25, respectfully report as follows: That House Resolution No. 25 do pass.

LAAS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 219, respectfully reports as follows: That Senate Bill No. 219 be concurred in.

BASHOR, Chairman.

Report adopted.

Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, respectfully reports, after having had under consideration Senate Bill No. 191, the following: That Senate Bill No. 191 be concurred in.

BASHOR, Chairman.

Motion was made by Bashor that the committee report be adopted.

Substitute motion was made by Sheehy that further consideration of Senate Bill No. 191 be postponed indefinitely, with a roll call vote and the results thereof to be spread on the Journal. Sufficient seconds arose. Haines requested a Call of the House. Sufficient seconds arose, and the Speaker ordered the Call of the House.

Progress having been shown, Haines moved that the Call of the House be dispensed with. Motion carried.

Substitute motion by Sheehy was carried by the following vote:

Ayes: Aasheim, Bailey, Bardanouve, Bollinger, Brenner, Christiansen, Cregg, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Holtz, Johnson, Laas, Lewis, Lombardi, McDonald, McNamara, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Prevost, Raundal, Sartz, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Twedt, Watt, Mr. Speaker. Total 42.

Noes: Bashor, Boughton, Broeder, Casey, Crum, Dye, East, Falkenstein, Felt, Fischer, Garrison, Haines, Healy, Jensen, Leuthold, Loman, Lucas, Lund, Mather, Nichols, Nutting, Rehberg, Rygg, Selstad, Smiley, Smith, Spilde, Swanz, Ulmer, Willits, Woodard. Total 31.

Paired: Atkins, aye; Delano, no. Scherf, aye; Tooke, no. Schepens, aye; James, no. Cummings, aye; MacCalman, no. Gerke, aye; Pierce, no. McOmber, aye; McNamer, no. Judge, aye; Asbjornson, no. Cerovski, aye; Schye, no.

Absent or not voting: Jenkins, Nelson, Tracy, Williams, Zimmer. Total 5.

Excused: None.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 535, respectfully report as follows: That House Bill No. 535 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 536, respectfully report as follows: That House Bill No. 536 do pass.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 40, respectfully report as follows: That House Joint Resolution No. 40 be amended as follows:

In Section 1, page 1 of the original bill by deleting lines 17 through 23 in their entirety and inserting in lieu thereof the following:

"Section 1. There is appropriated nine thousand eighty-four dollars (\$9,084.00) from the federal and private revenue fund, capitol building account for the following repairs and remodeling:"

Be further amended by striking Section 2 and Section 3 in their entirety and renumbering Section 4 to read Section 2.

And as so amended, do pass.

BARDANOUVE, Chairman.

Report adopted.

CONFERENCE COMMITTEE REPORTS

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider House Amendments to Senate Bill No. 119, beg leave to report as follows:

That the House recede from that part of the amendment to the title of Senate Bill No. 119 in line 7, page 1 of the original bill, which is line 4, page 1 of the printed bill, which added the figures "3-1705."

That the House recede from that part of its amendment to Senate Bill No. 119 following Section 5, line 13, page 5 of the original bill, which is Section 5, page 5, line 8 of the printed bill, which added a new Section 6; And that the sections following Section 5 be renumbered accordingly.

And, as so changed, the House Amendments to Senate Bill No. 119 be concurred in.

Respectfully submitted,

For the Senate:

SIDERIUS,
CUMMING,
HIBBARD;

For the House:

LEWIS,
O'HAIR,
NUTTING.

Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, Meccage, Nefzger, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rygg, Sartz, Selstad, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Tooke, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 71.

Noes: None.

Absent or not voting: Atkins, Bashor, Cummings, Dye, Garrison, Jenkins, Judge, McNamara, Nelson, Nichols, Raundal, Rehberg, Schepens, Scherf, Sheehy, Smiley, Swanz, Tracy, Twedt, Williams. Total 20.

Excused: Gerke, McOmber, Schye. Total 3.

To the President of the Senate and Speaker of the House:

The Joint Conference Committee appointed to consider House Amendments to Senate Bill No. 77 has agreed that they cannot agree to the House Amendments to Senate Bill No. 77 and asks that the committee be dissolved and no new committee appointed.

For the Senate:

MAHONEY,
REARDON,
BECK;

For the House:

HEALY,
LAAS,
MacCALMAN.

Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Deschamps, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Selstad, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: None.

Absent or not voting: Atkins, Boughton, Cummings, Dye, Jenkins, Judge, McNamer, Nelson, Nichols, Schepens, Scherf, Sheehy, Smiley, Tracy, Williams. Total 15.

Excused: Gerke, McOmber, Schye. Total 3.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on Senate Amendments to House Bill No. 9 respectfully report as follows:

That all of the Senate Amendments to House Bill No. 9 be deleted from the bill except so much of the amendments as delete the House Committee of the Whole amendment, the effect of this recommendation being to delete all amendments from the bill.

It is further recommended House Bill No. 9 be amended as follows: That subsection (d) on page 2 between lines 1 and 2 of the original bill, being page 2 between lines 25 and 26 of the printed bill be amended by the insertion of two new sections to be numbered and to read as follows:

"(8) Any individual employed in an amusement or recreational establishment that operates on a seasonal basis;"

"(9) Inmates of private and state custodial institutions;"

That Section 2, page 2, line 5 of the original bill, being page 2, line 1 of the printed bill be amended to read as follows:

"The reasonable value of board and/or room not to exceed 40% of the minimum wage may be claimed as a credit in computing the minimum wage."

Further amend "Section 2." to read as "Section 3.", "Section 3." to read as "Section 4." and "Section 4." to read as "Section 5."

For the Senate:

HUNTLEY,
TURNAGE,
BOVEY;

For the House:

LOMBARDI,
SLABY,
MATHER.

Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Bailey, Bashor, Bollinger, Brenner, Broeder, Cerovski, Christiansen, Cregg, Crum, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, Jensen, Johnson, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Sartz, Selstad, Sheehy, Shugrue, Slaby, Sullivan, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Mr. Speaker. Total 62.

Noes: Asbjornson, Bardanouve, Boughton, Casey, East, Falkenstern, Felt, James, Leuthold, Nutting, Spilde, Stranahan, Swanz, Zimmer. Total 14.

Absent or not voting: Atkins, Cummings, Fischer, Haines, Hanks, Jenkins, Judge, Laas, Nelson, Schepens, Scherf, Smiley, Smith, Tracy, Williams. Total 15.

Excused: Gerke, McOmber, Schye. Total 3.

Hall, having voted on the prevailing side, moved that the House reconsider its action on Senate Bill No. 191.

Substitute motion was made by Sheehy that the motion by Hall be laid on the table. Substitute motion carried.

Motion was made by Lucas that House Bill No. 207 be taken from the Committee on Appropriations, and placed on Second Reading. Motion was lost.

FIRST READING AND COMMITMENT OF BILLS

The following House Bill was introduced, read first time and referred to committee, appropriation measures at length:

House Bill No. 538, introduced by Sheehy, Shugrue: A bill for an act entitled: "An act to appropriate money in order to establish the Montana Atomic Energy Commission; granting to the Governor the power and authority to enter into agreements with the United States Atomic Energy Commission or other appropriate federal agency or authority; providing for an advisory committee on nuclear energy; providing for licenses to handle radioactive materials; providing an appropriation of \$5,000.00; setting forth the penalties; and providing a repealing clause." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Gilfeather that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Bill No. 4 be placed at the bottom of the list.

That Senate Amendments to House Bill No. 520 be concurred in.

That House Bill No. 282 do pass.

That House Bill No. 129 do pass.

That Senate Bill No. 219 be concurred in.

That Senate Amendments to House Bill No. 4 be concurred in.

That the Committee rise and report and beg leave to sit again.

ESKILDSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House revert to Order of Business No. 3. Motion carried.

CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee appointed to consider House Bill No. 230, respectfully recommend that:

The House accede to the Senate Amendment and further that the title of the bill be amended by striking therefrom the words "providing that no appeal may be taken from the Boards order". and as amended be adopted.

For the Senate:

DAVIS,
KAFKA,
LEHRKIND;

For the House:

SHEEHY,
SULLIVAN,
FELT.

Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Raundal, Rehberg, Rygg, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 75.

Noes: None.

Absent or not voting: Atkins, Brenner, Crum, Cummings, Garrison, Gunderson, Haines, Jenkins, McNamer, Sartz, Schepens, Scherf, Smiley, Tracy, Williams, Willits. Total 16.

Excused: Gerke, McOmber, Schye. Total 3.

MESSAGES FROM THE GOVERNOR

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 407, 326, 100, 176, 280, 49, 173, 121, 324, House Joint Resolutions Nos. 37, 26, 27.

TIM BABCOCK, Governor.

By Jeannie Morris.

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislative Assembly
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 433.

House Bill No. 489.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The President this day was authorized to appoint Free Conference Committees to consider House Amendments to Senate Bill No. 168 and Senate Amendments to House Bill No. 230. The President re-appointed the following Senators to consider House Amendments to Senate Bill No. 168:

Senator Cotton.

Senator Bovey.

Senator Thomas.

The following Senators were re-appointed to the Free Conference Committee on Senate Amendments to House Bill No. 230:

Senator Davis.

Senator Kafka.

Senator Lehrkind.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 4, introduced by Bardanouve and Nichols.

House Bill No. 520, introduced by Schye.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 530, introduced by Committee on Appropriations was this day read third time and concurred in, title and history agreed to and is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day, laid on the table a motion to reconsider the adoption of the Joint Conference Committee report on Senate Amendments to House Bill No. 9.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills, were this day read third time and concurred in, title and history agreed to and are herewith returned to the House:

House Bill No. 208, introduced by Mather, et al.

House Bill No. 514, introduced by Johnson, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 5, introduced by Bardanouve and Nichols.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 534 beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 504, House Joint Resolution No. 18, House Bill No. 506, House Joint Resolution No. 12.

HARPER, Chairman.

I have examined House Bill No. 506 introduced by me and find the same to be correct.

HEALY.

I have examined House Joint Resolution No. 12 introduced by me and find the same to be correct.

WAYRYNEN.

I have examined House Bill No. 504 introduced by me and find the same to be correct.

McNAMARA.

I have examined House Joint Resolution No. 18 introduced by me and find the same to be correct.

McNAMER.

The Speaker signed the following in open session, the titles having first been read: House Joint Resolutions Nos. 12, 18, House Bills Nos. 506, 504.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 282 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Egan, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Healy, James, Jensen, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, McDonald, McNamara, McNamer, Meccage, Nefzger, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Sartz, Sheehy, Shugrue, Slaby, Stranahan, Tooke, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 59.

Noes: Boughton, Broeder, Dye, East, Gill, Mather, Nelson, Nutting, Rygg, Selstad, Smith, Sullivan, Swanz, Woodard. Total 14.

Absent or not voting: Atkins, Eklund, Garrison, Haines, Harper, Holtz, Jenkins, Johnson, Laas, Loman, Nichols, Raundal, Schepens, Scherf, Smiley, Spilde, Tracy, Williams. Total 18.

Excused: Gerke, McOmber, Schye. Total 3.

House Bill No. 129 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Harper, Healy, Holtz, James, Jensen, Judge, Leuthold, Lewis, Lombardi, Lund, MacCalman, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Sheehy, Shugrue, Slaby, Stranahan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 68.

Noes: Boughton, Garrison, Loman, Mather, Nutting, Selstad, Smith, Sullivan. Total 8.

Absent or not voting: Atkins, Eklund, Haines, Hanks, Jenkins, Johnson, Laas, Lucas, Raundal, Schepens, Scherf, Smiley, Spilde, Tracy, Williams. Total 15.

Excused: Gerke, McOmber, Schye. Total 3.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, were disposed of in the following manner, title and history agreed to.

Senate Bill No. 219 was concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Boughton, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Delano, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gilfeather, Gill, Harper, Healy, Holtz, James, Jensen, Judge, Leuthold, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Selstad, Sheehy, Shugrue, Slaby, Stranahan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 63.

Noes: Bailey, Bollinger, Brenner, Cummings, Deschamps, Flynn, Gilligan, Gunderson, Hall, Hanks, Lewis, McNamara, Obstarczyk, Smith, Spilde, Sullivan. Total 16.

Absent or not voting: Atkins, Eklund, Haines, Jenkins, Johnson, Laas, Raundal, Schepens, Scherf, Smiley, Tracy, Williams. Total 12.

Excused: Gerke, McOmber, Schye. Total 3.

Senate Amendments to House Bill No. 520 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Crum, Cummings, Delano, Deschamps, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 79.

Noes: None.

Absent or not voting: Atkins, Eklund, Haines, Jenkins, Johnson, Laas, Raundal, Schepens, Scherf, Smiley, Tracy, Williams. Total 12.

Excused: Gerke, McOmber, Schye. Total 3.

Senate Amendments to House Bill No. 4 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Christiansen, Cregg, Crum, Cummings, Delano, Dye, East, Egan, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer, Mr. Speaker. Total 76.

Noes: Cerovski, Deschamps, Jensen. Total 3.

Absent or not voting: Atkins, Eklund, Haines, Jenkins, Johnson, Laas, Raundal, Schepens, Scherf, Smiley, Tracy, Williams. Total 12.

Excused: Gerke, McOmber, Schye. Total 3.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 530, House Joint Resolutions Nos. 1 and 2.

HARPER, Chairman.

I have examined House Joint Resolution No. 1 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 530 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Joint Resolution No. 2 introduced by me and find the same to be correct.

BARDANOUE.

The Speaker signed the following in open session, the titles having first been read: House Joint Resolutions Nos. 1 and 2, and House Bill No. 530.

Motion was made by Cerovski that the House revert to Order of Business No. 8. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Bill No. 5 be not concurred in and that a Conference Committee be appointed by the Speaker to meet with a like Committee from the Senate.

That House Bill No. 534 do pass.

That the Committee rise and report and beg leave to sit again.

ESKILDSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 534 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Leuthold, Lewis, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Sheehy, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 68.

Noes: Boughton, Falkenstern, Garrison, Nutting, Selstad, Smith, Spilde. Total 7.

Absent or not voting: Atkins, Crum, Cummings, Gunderson, Haines, Jenkins, Laas, Loman, McNamer, Raundal, Schepens, Scherf, Smiley, Tracy, Williams, Woodard. Total 16.

Excused: Gerke, McOmber, Schye. Total 3.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House instruct the Speaker to appoint a Free Conference Committee of three to confer with a like committee from the Senate on Senate Bill No. 168. Motion carried.

Motion was made by Cerovski that the House instruct the Speaker to appoint a Free Conference Committee of three to confer with a like committee from the Senate on Senate Amendments to House Bill No. 230. Motion carried.

Thereupon, the Speaker appointed the following Conference Committee:

Free Conference Committee of three on Senate Amendments to House Bill No. 230: Sheehy, Chairman, Sullivan and Felt.

Free Conference Committee of three on Senate Bill No. 168: Aasheim, Chairman, Cummings and Rygg.

Motion was made by Cerovski that the House revert to Order of Business No. 5. Motion carried.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day adopted the Joint Conference Committee reports on:

House Amendments to Senate Bill No. 119.

House Amendments to House Bill No. 77.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House recess, subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bills Nos. 282 and 534.

JAMES, Vice-Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 129.

JAMES, Vice-Chairman.

CONFERENCE COMMITTEE REPORTS

March 4, 1965

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee appointed to consider House Bill 230, report as follows:

We are unable to reach an agreement on the Senate amendments and ask that the committee be dissolved and a free committee appointed.

For the Senate:

DAVIS,
KAFKA,
LEHRKIND;

For the House:

SHEEHY,
SULLIVAN,
FELT.

Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bailey, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cregg, Cummings, Delano, Deschamps, Dye, East, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, O'Leary, Pierce, Prevost, Rehberg, Rygg, Sartz, Selstad, Sheehy, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tooke, Twedt, Ulmer, Watt, Willits, Woodard, Zimmer. Total 75.

Noes: None.

Absent or not voting: Atkins, Bardanouve, Bashor, Crum, Haines, Jenkins, Johnson, McNamer, Meccage, Raundal, Schepens, Scherf, Smiley, Tracy, Williams, Mr. Speaker. Total 16.

Excused: Gerke, McOmber, Schye. Total 3.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 537, respectfully report as follows: That House Bill No. 537 do pass.

BARDANOUE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that Senate Joint Resolution No. 10 be indefinitely postponed. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 5: Bollinger, Chairman, Hanks and Nichols.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 458, respectfully report as follows: That House Bill No. 458 be amended as follows:

1. Amend the title of House Bill No. 458 in lines 5 and 6, page 1 of the original bill by striking the words and figures "Thirteen Thousand Nine Hundred Fifteen and 65/100 Dollars (\$13,915.65)" and inserting in lieu thereof the words and figures "Eighteen Hundred Dollars (\$1,800.00)".

2. Further amend in Section 2, lines 18 through 20, page 4 of the original bill by striking that section in its entirety and inserting in lieu thereof a new section to read as follows:

"Section 2. This legislative assembly hereby finds the facts of the State Board of Examiners as set forth above to be correct, but the legislative assembly finds that eighteen hundred dollars (\$1,800.00) is a reasonable and proper claim against the State of Montana for the injuries sustained by Judith Ann Jenkins."

3. Further amend in Section 3, lines 23 and 24, page 4 of the original bill by striking the words and figures "Thirteen Thousand Nine Hundred Fifteen and 65/100 Dollars (\$13,915.65)" and inserting in lieu thereof the words and figures "Eighteen Hundred Dollars (\$1,800.00)".

And as amended, do pass.

Report adopted.

BARDANOUE, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bills Nos. 537, 535, 536, House Joint Resolution No. 40 beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and are herewith returned to the House:

House Bill No. 434, introduced by Smiley, et al.

House Bill No. 532, introduced by Committee on Appropriations.

House Bill No. 163, introduced by Twedt, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The President this day appointed the following Senate Conference Committee to consider Senate Amendments to House Bill No. 5:

Senator Groff.

Senator Beley.

Senator Mackay.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day failed to concur in House Amendments to Senate Bill No. 51, requested the President to appoint a Conference Committee, and requests the House appoint a similar Committee. The President named the following to the Conference Committee:

House Amendments to Senate Bill No. 51:

Senator Nixon.

Senator Beley.

Senator Mackay.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the Speaker be authorized to appoint a Conference Committee of three to confer with a like committee from the Senate on House Amendments to Senate Bill No. 51. Motion carried.

Thereupon the Speaker appointed the following Conference Committee: Flynn, Chairman, O'Leary and James.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 535 be placed at the bottom of the list.

That House Bill No. 536 be amended as follows:

Amend Section 1, line 6, after the word "project" and before the word "shall", insert the words "including any federal funds".

And amend by adding a new section which is to be Section 4 as follows:

"Section 4. There is also appropriated to the Regents of the Montana University System all moneys from federal, private or other sources which may be available to finance the capital projects included in this act."

And as amended, do pass.

That House Bill No. 537 do pass.

That House Joint Resolution No. 40 do pass.

That House Bill No. 535 be amended as follows:

Amend Section 1, lines 8 and 9, page 1 of the original bill, being lines 1 and 2 of page 1 of the printed bill by striking the words and figures "Four million, one hundred twenty-one thousand seven hundred sixty-seven dollars (\$4,121,767)" and inserting in lieu thereof the words and figures "five million one thousand seven hundred sixty-seven dollars (\$5,001,767)".

And further amend Section 1, line 7, page 4 of the original bill, being line 89, page 4 of the printed bill by striking the figures "\$1,300,000" and inserting in lieu thereof the figures "\$2,180,000".

Amend further by inserting the following new Section 3 and renumbering the remaining sections accordingly:

"Section 3. There is also appropriated to the Department of Institutions all moneys from federal, private or other sources which may be available to finance the capital projects included in this act."

Amend Section 1 by adding in line 41, page 2 of the printed bill, after the words "new school building" the words "or cottages".

Amend Section 3 by adding after the word "party" the following words, "such committee shall review all building projects provided for by this 39th Legislative Assembly".

And as so amended, do pass.

That the Committee rise and report and beg leave to sit again.

ESKILDSSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House revert to Order of Business No. 5. Motion carried.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate Amendments.

House Bill No. 524, introduced by Committee on Appropriations.

Senate Substitute for House Bill No. 332, introduced by Harper, et al.

Senate Substitute for House Bill No. 512, introduced by Watt, et al.

House Bill No. 346, introduced by Aasheim, et al.

House Bill No. 529, introduced by Committee on Appropriations.

House Bill No. 525, introduced by Committee on Appropriations.

House Bill No. 522, introduced by Committee on Appropriations.

House Bill No. 526, introduced by Committee on Appropriations.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate on a roll call vote, adopted a substitute motion that the President appoint no further Conference Committees on Senate Amendments to House Bill No. 9.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 230.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

FIRST READING AND COMMITMENT OF BILLS

The following House Bill was introduced, read first time, appropriation measures at length, and referred to committee:

House Bill No. 539, introduced by McNamara, Shugrue, Rehberg: A bill for an act entitled: "An act to appropriate two thousand dollars (\$2,-

000.00) to the Superintendent of Public Instruction for a study of the Montana High School Association." Referred to the Committee on Appropriations.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 519, 163 and 230.

HARPER, Chairman.

I have examined House Bill No. 163 introduced by me and find the same to be correct.

TWEDT.

I have examined House Bill No. 230 introduced by me and find the same to be correct.

FELT.

I have examined House Bill No. 519 introduced by me and find the same to be correct.

HALL.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 230, 530, 163.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Bill No. 524 be not concurred in but that a Conference Committee of three be appointed by the Speaker to meet with a like Committee from the Senate.

That Senate Substitute for House Bill No. 332 be not concurred in but that a Conference Committee of three be appointed by the Speaker to meet with a like Committee from the Senate.

That Senate Substitute for House Bill No. 512 be not concurred in but that a Conference Committee of three be appointed by the Speaker to meet with a like Committee from the Senate.

That consideration of Senate Amendments to House Bill No. 346 be passed until this afternoon's sitting.

That Senate Amendments to House Bill No. 529 be not concurred in but that a Free Conference Committee of three be appointed by the Speaker to meet with a like Committee from the Senate.

That Senate Amendments to House Bill No. 525 be not concurred in but that a Free Conference Committee of three be appointed by the Speaker to meet with a like Committee from the Senate.

That Senate Amendments to House Bill No. 522 be not concurred in but that a Free Conference Committee of three be appointed by the Speaker to meet with a like Committee from the Senate.

That Senate Amendments to House Bill No. 526 be not concurred in but that a Free Conference Committee of three be appointed by the Speaker to meet with a like Committee from the Senate.

That the Committee rise and report and beg leave to sit again.

ESKILDSSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Speaker Pro Tem in the Chair.

REPORTS OF STANDING COMMITTEES

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 536.

JAMES, Vice-Chairman.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 be amended as follows:

Page 1, line 13 of the original bill, by striking the word "Carbon".

Further amend page 1, line 15 of the original bill, by striking the words "Musselshell" and "Big Horn".

Further amend page 1, line 16 of the original bill, by striking the word "Stillwater".

Further amend page 1, line 17 of the original bill, by striking the words "Golden Valley".

Further amend page 1, line 20 of the original bill, where the words "Big Horn" are stricken, by inserting the words "Big Horn".

Further amend page 1, line 21, where the word "Carbon" is shown stricken, reinsert the word "Carbon".

Further amend page 1, line 22, where the words "Golden Valley" are shown stricken, by inserting the words "Golden Valley".

Further amend page 1, line 23, of the original bill, where the word "Musselshell" is shown stricken, by inserting the word "Musselshell".

And be further amended on page 1, line 25, where the word "Stillwater" is shown stricken, by inserting the word "Stillwater".

And as amended, do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment respectfully present the attached report to the United States District Court for the District of Montana, Helena Division, sitting in Civil Action 1214.

Your committee moves the adoption of said report by the House of Representatives and that the original and three (3) copies thereof be filed in the said District Court, and that a copy thereof be served upon the attorney for the plaintiff, and the attorney general of the State of Montana by mail.

SHEEHY, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day, failed to adopt the Joint Conference Committee report on Senate Amendments to House Bill No. 517.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Senate Finance and Claims Committee, report adopted, and the same are herewith returned to the House.

House Bill No. 129, introduced by Leuthold, et al.

House Bill No. 282, introduced by Bollinger, et al.

House Bill No. 534, introduced by Ulmer, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 447, introduced by Gilfeather, et al, was read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate Amendments.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Watt that House Bill No. 56 be recalled from the Committee on Constitution, Elections and Federal Relations and vote on whether to sustain or override the Governor's veto. Motion carried.

Motion was made by Gilfeather that House Bill No. 56 become law notwithstanding the Governor's veto. Motion, requiring two-thirds vote to override, was lost by the following vote:

Ayes: Aasheim, Bardanouvve, Bollinger, Brenner, Christiansen, Deschamps, Egan, Eklund, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, Lombardi, MacCalman, McNamara, Meccage, Nefzger, O'Hair, Prevost, Raundal, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer. Total 39.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Delano, Dye, Falkenstern, Felt, Fischer, Garrison, Jensen, Leuthold, Loman, Lund, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Rehberg, Rygg, Selstad, Smiley, Smith, Spilde, Swanz, Ulmer. Total 29.

Paired: Crum, no; Shugrue, aye. East, no; O'Leary, aye. Tooke, no; Sheehy, aye. Schye, no; Cerovski, aye. James, no; Scherf, aye. Lucas, no; Gerke, aye.

Absent or not voting: Atkins, Bailey, Cregg, Cummings, Eskildsen, Jenkins, McDonald, Obstarczyk, Sartz, Schepens, Williams, Woodard, Mr. Speaker. Total 13.

Excused: McOmber. Total 1.

Motion was made by Smiley that House Bill No. 535 be taken from Third Reading and placed on Second Reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading under the rules of the previous sitting. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Speaker Pro Tem in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Bill No. 346 be moved to the bottom of the list.

That Senate Amendments to House Bill No. 447 be not concurred in but that the Speaker appoint a Conference Committee of three to meet with a like Committee from the Senate.

That further consideration of House Bill No. 535 be passed for this sitting.

That Senate Amendments to House Bill No. 346 be not concurred in but that the Speaker appoint a Conference Committee of three to meet with a like Committee from the Senate.

That the Committee rise and report and beg leave to sit again.

JUDGE, Chairman.

Report adopted.

Motion was made by Lucas that Third Reading be passed for this sitting. Motion carried.

CONFERENCE COMMITTEE REPORTS

March 4, 1965

Mr. President and Speaker of the House:

We, your Joint Senate and House Free Conference Committee on Senate Bill No. 168, beg leave to report as follows:

That we met this day and considered the amendments to Senate Bill No. 168, and recommend as follows:

That the House recede from House amendments of the Committee of the Whole to Senate Bill No. 168;

And that it be further amended as follows:

Amend the title, page 1, line 11 of the original bill, being page 1, line 8 of the title of the printed bill, by striking after the figures "1947" the period and quotation marks and inserting in lieu thereof the following punctuation and words: "; providing for an effective date of July 1, 1966."

And further amend Section 2, page 2, line 29 of the original bill, being Section 2, page 3, line 19 of the printed bill, by striking the words

and figures "five hundred (500) feet" and inserting in lieu thereof the words and figures "one hundred and fifty (150) feet in cities, and approximately five hundred (500) feet in other areas".

And further amend after Section 4, page 5, line 7 of the original bill, being after Section 4, page 6, line 55 of the printed bill, by adding the following words, figures and punctuation:

"Section 5. This act shall be in full force and effect from and after July 1, 1966."

And as so amended, be concurred in.

For the Senate:

COTTON,
BOVEY,
THOMAS;

For the House:

AASHEIM,
CUMMINGS,
RYGG.

Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Boughton, Brenner, Broeder, Casey, Cervovski, Christiansen, Delano, Egan, Eklund, Falkenstern, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamer, Meccage, Nefzger, Nelson, Nutting, O'Hair, O'Leary Prevost, Rehberg, Rygg, Shugrue, Slaby, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer. Total 58.

Noes: Garrison, Jensen, McNamara, Selstad. Total 4.

Absent or not voting: Atkins, Bailey, Bardanouve, Bashor, Bollinger, Cregg, Crum, Cummings, Deschamps, Dye, East, Eskildsen, Felt, Fischer, Jenkins, Laas, Nichols, Obstarczyk, Pierce, Raundal, Sartz, Schepens, Sheehy, Smiley, Tooke, Williams, Woodard, Mr. Speaker. Total 28.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

March 4, 1965

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 51, beg leave to report as follows:

That we met this day and considered House Committee on Appropriations' amendment to Senate Bill No. 51, and recommend as follows:

"That House Committee on Appropriations' amendment be deleted in its entirety and that the following section be inserted in lieu thereof:"

"Section 24. There is appropriated from the general fund to the office of Legislative Auditor thirty-three thousand dollars (\$33,000.00) for the fiscal year ending June 30, 1966, and thirty-seven thousand dollars (\$37,000.00) for the fiscal year ending June 30, 1967."

And recommend that the same be adopted.

For the Senate:

NIXON,
BELEY,
MACKAY;

For the House:

FLYNN,
O'LEARY,
JAMES.

Conference Committee report on Senate Bill No. 51 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Brenner, Cerovski, Christiansen, Delano, Deschamps, Egan, Eklund, Falkenstern, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McDonald, McNamara, McNamer, Meccage, Nefzger, Nelson, Nutting, O'Hair, O'Leary, Prevost, Rehberg, Shugrue, Slaby, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer. Total 53.

Noes: Boughton, Broeder, Casey, Dye, Garrison, Leuthold, Rygg, Selstad, Smith. Total 9.

Absent or not voting: Atkins, Bailey, Bardanouve, Bashor, Bollinger, Cregg, Crum, Cummings, East, Eskildsen, Felt, Fischer, Jenkins, Laas, Lewis, Nichols, Obstarczyk, Pierce, Raundal, Sartz, Schepens, Sheehy, Smiley, Spilde, Tooke, Williams, Woodard, Mr. Speaker. Total 28.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

March 4, 1965

To the President of the Senate and Speaker of the House:

The Joint Conference Committee appointed to consider Amendments to House Bill No. 517 begs leave to report as follows:

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 517 has agreed that they cannot agree on said Senate Amendments for House Bill No. 517 and ask that the committee be dissolved.

For the Senate:

MAHONEY,
HUNTLEY,
McDONNELL;

For the House:

HOLTZ,
ESKILDSSEN,
CASEY.

Motion was made by Holtz that the Committee report be adopted.

Substitute motion was made by Bashor that the Conference Committee report do not be adopted, and that the Speaker be authorized to appoint a new Conference Committee of three to meet with a like committee from the Senate to confer on amendments to House Bill No. 517. Substitute motion carried by the following vote:

Ayes: Asbjornson, Bashor, Broeder, Casey, Delano, Falkenstern, Garrison, Gunderson, Haines, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, McNamara, McNamer, Meccage, Nelson, Nichols, Nutting, Prevost, Rehberg, Rygg, Selstad, Smith, Spilde, Stranahan, Sullivan, Swanz, Ulmer, Watt, Zimmer. Total 41.

Noes: Aasheim, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Deschamps, Dye, Eklund, Felt, Flynn, Gilfeather, Gilligan, Hall, Lombardi, MacCalman, Mather, McDonald, Nefzger, O'Hair, O'Leary, Shugrue, Slaby, Tracy, Willits. Total 26.

Absent or not voting: Atkins, Bailey, Boughton, Cregg, Crum, Cummings, East, Eskildsen, Fischer, Gill, Jenkins, Obstarczyk, Pierce, Raundal, Sartz, Schepens, Sheehy, Smiley, Tooke, Twedt, Williams, Woodard, Mr. Speaker. Total 23.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 458 beg leave to report that the same have this date been returned from the printer correctly printed.

HARPER, Chairman.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Speaker Pro Tem in the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 517: Holtz, Harper, Felt.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 522: Raundal, Egan, Spilde.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 525: Twedt, Harper, Haines.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 526: Bollinger, Raundal, Leuthold.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 529: Laas, Bashor, Asbjornson.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bills Nos. 512 and 332: Sheehy, Gilfeather, Delano.

The Speaker appointed the following Conference Committee on Senate Amendments to House Bill No. 417: Christiansen, Hall, Falkenstern.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration Senate Joint Resolution No. 15, respectfully report as follows: That Senate Joint Resolution No. 15 be amended as follows:

Delete everything in lines 19 through 29 of page 1 of the original bill, being lines 13 through 23, pages 1 and 2 of the printed bill and substitute therefor the following material:

“1. Four stall maintenance garage, Montana State University	\$ 15,000
2. Maintenance Shop, Western Montana College	42,000
3. Science Complex, University of Montana	2,560,000
4. Engineering Science Building, Montana State University	1,860,000
5. Physical Education Building, Western Montana College	840,000

And as amended, be concurred in.

BARDANOUE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration Senate Bill No. 122, respectfully report as follows: That Senate Bill No. 122 be concurred in.

SHEEHY, Chairman.

Report adopted.

CONFERENCE COMMITTEE REPORT

March 4, 1965

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider House Bill No. 5 agree as follows:

That House Bill No. 5 be amended in the Committee on Finance and Claims amendment of March 4, 1965, following line 16 of the original bill which is line 7 of the printed bill by deleting the words and figures "twenty-two thousand two hundred thirty dollars (\$22,230.00)" and inserting in lieu thereof the following words and figures: "eighteen thousand dollars (\$18,000.00)".

And as so amended that House Bill No. 5 be concurred in.

For the Senate:

GROFF,
BELEY,
MACKAY;

For the House:

BOLLINGER,
HANKS,
NICHOLS.

Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Delano, Dye, Egan, Eklund, Felt, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lund, MacCalman, Mather, McNamara, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Raundal, Rehberg, Rygg, Selstad, Sheehy, Shugrue, Slaby, Smiley, Smith, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer. Total 63.

Noes: Cerovski, Prevost. Total 2.

Absent or not voting: Atkins, Bailey, Bashor, Christiansen, Cregg, Crum, Cummings, Deschamps, East, Eskildsen, Falkenstern, Fischer, Jenkins, Lucas, McDonald, McNamer, Obstarczyk, O'Leary, Pierce, Sartz, Schepens, Tooke, Williams, Woodard, Mr. Speaker. Total 25.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 208, 434, 4.

HARPER, Chairman.

I have examined House Bill No. 4 introduced by me and find the same to be correct.

BARDANOUE.

I have examined House Bill No. 434 introduced by me and find the same to be correct.

SMILEY.

I have examined House Bill No. 208 introduced by me and find the same to be correct.

MATHER.

The Speaker Pro Tem signed the following bills in open session, the titles having first been read: House Bills Nos. 4, 208, 434.

March 4, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 530, 504, 506, 163, 519, 230, House Joint Resolutions Nos. 2, 1, 12, 18, 23, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:41 o'clock p. m. delivered to the Governor for his approval.

HARPER, Chairman.

MESSAGES FROM THE GOVERNOR

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 530, 504, 506, 163, 519, 230, House Joint Resolutions Nos. 1, 2, 12, 18, 23.

TIM BABCOCK, Governor,

By Lucille M. Baker.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 5.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 533, introduced by Committee on Appropriations was read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate Amendments.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 448, introduced by Gilfeather, et al, was read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate Amendments.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day, on roll call vote, adopted the Joint Conference Committee reports on House Amendments to Senate Bill No. 168 and Senate Bill No. 51.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to Committee:

House Resolution No. 26, introduced by Cerovski: A Resolution of the House amending certain joint rules.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF THE STATE OF MONTANA:

That a new joint rule be adopted to read as follows:

"All bills reported out of a committee of the Legislative Assembly having an effect on the revenues, expenditures, or fiscal liability of the state, except appropriation measures carrying specific dollar amounts, shall include a fiscal note incorporating an estimate of such effect. Fiscal notes shall be requested by the presiding officer of either house, who shall determine the need for the note at the time of introduction.

"The State Budget Director, in cooperation with the agency or agencies affected by the bill, is responsible for the preparation of the fiscal note and shall return same within six (6) days.

"A completed fiscal note shall be submitted by the budget director to the presiding officer who requested it, who shall refer it to the committee considering the bill. If the bill is printed, the note shall be mimeographed and placed on the members' desks.

"Fiscal notes shall, where possible, show in dollar amounts the estimated increase or decrease in revenues or expenditures, costs which may be absorbed without additional funds, and long-range financial implications. No comment or opinion relative to merits of the bill shall be included; however, technical or mechanical defects may be noted.

"A fiscal note also may be requested on a bill before the thirty-sixth day, and on an amendment before the forty-ninth day, by

(1) A committee considering the bill, or

(2) A majority of the members of the house in which the bill is to be considered, at the time of second reading.

"The Budget Director shall make available on request to any member of the legislative assembly all background information used in developing a fiscal note."

BE IT FURTHER RESOLVED, that Joint Rule 8-5 be amended to read as follows:

"8.5. (1) A joint rule may be repealed or amended only with the concurrence of both houses, under the procedures adopted by each house for the repeal or amendment of its own rules. (2) A joint rule governing the procedure for handling bills may be temporarily suspended by the unanimous consent of two-thirds of the members of either house, insofar as it applies to the house suspending it."

BE IT FURTHER RESOLVED, that a new joint rule be adopted to read as follows:

"When the presiding officer is a member of the house over which he is presiding he shall vote as any other member, and may not vote a second time."

Referred to Committee on Rules and Journal.

Motion was made by Cerovski that the House recess subject to the Call of the Chair.

House recessed.

House resumed. Speaker Pro Tem in the Chair.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 110, beg leave to report that the same have this date been returned from the printer correctly printed.

JAMES, Vice-Chairman.

CONFERENCE COMMITTEE REPORT

March 4, 1965

To the President of the Senate and the Speaker of the House:

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 517 beg leave to report as follows:

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 517 has agreed that the House accede to the Senate Amendments to House Bill No. 517 and ask that the committee be dissolved.

For the Senate:

MAHONEY,
HUNTLEY,
McDONNELL;

For the House:

HOLTZ,
HARPER,
FELT.

Motion was made by Felt that the committee report be adopted.

Substitute motion was made by Bashor that the report be rejected and that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate. Substitute motion was lost by the following vote:

Ayes: Bashor, Broeder, Casey, Eskildsen, Falkenstern, Gunderson, Haines, Hall, Healy, Jensen, Judge, Lewis, Loman, Lund, McNamer, Rygg, Selstad, Sheehy, Smith, Stranahan, Tracy, Zimmer, Mr. Speaker. Total 23.

Noes: Aasheim, Boughton, Brenner, Cerovski, Christiansen, Delano, Dye, Eklund, Felt, Flynn, Gilfeather, Gill, Gilligan, Hanks, Harper, Holtz, Johnson, Leuthold, Lucas, Mather, McNamara, Meccage, Nefzger, Nelson, O'Hair, Prevost, Rehberg, Slaby, Sullivan, Swanz, Twedt, Ulmer, Watt, Willits. Total 35.

Absent or not voting: Asbjornson, Atkins, Bailey, Bardanouve, Bolinger, Cregg, Crum, Cummings, Deschamps, East, Egan, Fischer, Garrison, James, Jenkins, Laas, Lombardi, MacCalman, McDonald, Nutting, Obstarzyk, O'Leary, Pierce, Raundal, Sartz, Schepens, Shugrue, Smiley, Spilde, Tooke, Williams, Woodard. Total 32.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

Original motion carried by a vote of 35 to 23.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The President was requested to appoint Free Conference Committees of three to consider House Bills listed below. However, on substitute motion, which carried, the President was requested to appoint Conference Committees to consider only, the Senate Amendments to these House Bills. The President named the following Senators:

House Bill No. 522, Senator Nixon, Senator Nees and Senator Hibbard.

House Bill No. 525, Senator Rieder, Senator Lehrkind and Senator McGowan.

House Bill No. 526, Senator Beley, Senator O'Neill and Senator Cole.

House Bill No. 529, Senator MacDonald, Senator Kafka and Senator Moritz.

Senate Sub. to House Bill No. 512, Senate Sub. House Bill No. 332, Senator Melcher, Senator Huntley and Senator Lehrkind.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 528, introduced by Committee on Appropriations was read third time and concurred in as amended, title and history agreed to, and is herewith returned to the House for concurrence in Senate Amendments.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Senate Bill No. 65, introduced by Rostad, et al, was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Hall, having voted on the prevailing side, moved that the House reconsider its action in failing to adopt a Conference Committee report on Senate Amendments to House Bill No. 447 and in requesting a conference committee appointment, and that House Bill No. 447 be placed on Second Reading. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following Senate Bill was introduced, read first time, and referred to Committee:

Senate Bill No. 65, introduced by Rostad, Mackay, Keller, McDonnell, Ullom, Goodwin, DeWolfe, Brenner, Thomas: A bill for an act entitled: "An act amending Section 43-107, R. C. M. 1947, to redefine congressional districts." Referred to Committee on Reapportionment.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 535 be amended in Section 1 in line 7, page 4 of the original bill being lines 8 and 9, page 4 of the printed bill by striking the figures "\$1,300,000" and inserting in lieu thereof the figures "\$2,180,000".

And as amended, do pass.

Mr. Bollinger of Valley in the Chair for consideration of House Bill No. 458.

That House Bill No. 458 be amended as follows:

Amend the title by striking therefrom the words and figures "eighteen hundred dollars (\$1800)" and inserting in lieu thereof the words and figures "thirteen thousand nine hundred fifteen and 65/100 dollars (\$13,915.65)"

Amend Section 3, line 3 on page 5 of the printed bill, being lines 23 and 24, page 4 of the original bill by striking therefrom the words and figures "Eighteen Hundred Dollars (\$1,800.00)" and inserting in lieu thereof the words and figures "Thirteen Thousand Nine Hundred Fifteen and 65/100 Dollars (\$13,915.65)".

And amend Section 2 by striking out in line 3 on page 5 of the printed bill, being line 2 of the new Section 2 of the original bill, the word "but" and inserting in lieu thereof the word "and";

And further amend Section 2 on lines 3 and 4 on page 5 of the printed bill, being line 3 of Section 2 of the original bill as amended by the Committee on Appropriations, by striking the words and figures "eighteen hundred dollars (\$1,800.00)" and inserting in lieu thereof the words and figures "thirteen thousand nine hundred fifteen and 65/100 dollars (\$13,915.65)".

And as so amended, do pass.

That Senate Amendments to House Bill No. 448 (Senate Substitute for House Bill No. 448) be not concurred in but that the Speaker appoint a Free Conference Committee of three to meet with a like Committee from the Senate.

That Senate Amendment to House Bill No. 533 be not concurred in but that a Conference Committee of three be appointed by the Speaker to meet with a like Committee from the Senate.

That consideration of Senate Joint Resolution No. 15 be passed for this sitting.

That Senate Bill No. 122 be concurred in.

That consideration of House Bill No. 110 be passed for this sitting.

That consideration of Senate Amendments to House Bill No. 528 be passed for this sitting.

That Senate Amendments to House Bill No. 447 be concurred in.

That the Committee rise and report and beg leave to sit again.

ESKILDSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, appropriation measures at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 536 was passed by the following vote:

Ayes: Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gilfeather, Gill, Gilligan, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Prevost, Raundal, Rehberg, Selstad, Sheehy, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 58.

Noes: Garrison. Total 1.

Absent or not voting: Aasheim, Asbjornson, Atkins, Bailey, Bashor, Cregg, Crum, Cummings, Deschamps, East, Fisher, Gunderson, Haines, James, Jenkins, Laas, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary, Pierce, Rygg, Sartz, Schepens, Shugrue, Smiley, Smith, Tooke, Williams, Woodard. Total 31.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

House Bill No. 537 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Prevost, Raundal, Rehberg, Selstad, Sheehy, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 62.

Noes: Garrison. Total 1.

Absent or not voting: Atkins, Bailey, Bashor, Cregg, Crum, Cummings, Deschamps, East, Fischer, Haines, James, Jenkins, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary, Pierce, Rygg, Sartz, Schepens, Shugrue, Smiley, Smith, Tooke, Williams, Woodard. Total 27.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

House Joint Resolution No. 40 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Prevost, Raundal, Rehberg, Selstad, Sheehy, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 63.

Noes: Garrison. Total 1.

Absent or not voting: Atkins, Bailey, Cregg, Crum, Cummings, Deschamps, East, Fischer, Haines, James, Jenkins, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary, Pierce, Rygg, Sartz, Schepens, Shugrue, Smiley, Smith, Tooke, Williams, Woodard. Total 26.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

House Bill No. 535 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Delano, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Prevost, Rehberg, Sheehy, Slaby, Spilde, Stranahan, Sullivan, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 55.

Noes: Boughton, Broeder, Dye, Garrison, Laas, Raundal, Selstad, Swanz. Total 8.

Absent or not voting: Atkins, Bailey, Bardanouve, Cregg, Crum, Cummings, Deschamps, East, Fischer, Haines, James, Jenkins, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary, Pierce, Rygg, Sartz, Schepens, Shugrue, Smiley, Smith, Tooke, Williams, Woodard. Total 27.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

Motion was made by Sheehy that Senate Bill No. 122, being a Constitutional Amendment requiring two-thirds vote for passage, be passed for this sitting. Motion carried.

Senate Amendments to House Bill No. 447 were concurred in by the following vote:

Ayes: Aasheim, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Egan, Eklund, Eskildsen, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Lewis, McNamara, Meccage, Nefzger, Nelson, O'Hair, Raundal, Sheehy, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Mr. Speaker. Total 38.

Noes: Asbjornson, Boughton, Broeder, Casey, Delano, Dye, Falkenstern, Felt, Garrison, Jensen, Leuthold, Loman, Lund, MacCalman, Mather, McNamer, Nutting, Prevost, Rehberg, Selstad, Spilde, Swanz, Ulmer. Total 23.

Absent or not voting: Atkins, Bailey, Christiansen, Cregg, Crum, Cummings, Deschamps, East, Fischer, Haines, James, Jenkins, Lombardi, Lucas, McDonald, Nichols, Obstarczyk, O'Leary, Pierce, Rygg, Sartz, Schepens, Shugrue, Smiley, Smith, Tooke, Williams, Woodard, Zimmer. Total 29.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

Motion was made by Cerovski that the House revert to Order of Business No. 2. Motion carried.

REPORTS OF STANDING COMMITTEES

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 535.

HARPER, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 514.

HARPER, Chairman.

I have examined House Bill No. 514 introduced by me and find the same to be correct.

JOHNSON.

The Speaker signed House Bill No. 514 in open session, the title having first been read.

CONFERENCE COMMITTEE REPORTS

March 4, 1965

To the President of the Senate and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Substitute for House Bill No. 512, respectfully report as follows:

That Senate Substitute for House Bill No. 512 be amended as follows:

In Section 3, page 6, lines 16 through 29 of the original bill, being Section 3, pages 6 and 7, lines 68 through 81 of the printed bill, by deleting the material therein in its entirety and inserting in lieu thereof the following material: "(6) After approval through initiative or referendum by a majority of the electors voting at an election prior to January 1, 1967, the state upon such approval also pledges and appropriates and directs to be credited as received to the sinking fund account all money received from the collection of each of the excise taxes on cigarettes and other tobacco products which are levied, imposed and assessed by Section 84-5606, Subdivisions (3) and (4), R. C. M. 1947, as amended, after the payment and redemption in full of the outstanding bonds for which any such tax has heretofore been pledged and appropriated.", and

In Section 5, page 7, line 7 of the original bill, being Section 5, page 7, line 3 of the printed bill, by striking the words and figures "fifteen million dollars (\$15,000,000)" and inserting in lieu thereof the words and figures "thirteen million five hundred thousand dollars (\$13,500,000)", and

And as so amended by adopted.

For the Senate:

MELCHER,
HUNTLEY,
LEHRKIND;

For the House:

SHEEHY,
GILFEATHER,
(Report not signed by Delano).

Motion was made by Sheehy that the Committee report be adopted.

Substitute motion was made by Felt that Senate Substitute for House Bill No. 512 be postponed for this sitting. Substitute motion lost.

Conference Committee report was adopted by the following vote:

Ayes: Aasheim, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Egan, Eklund, Eskildsen, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lewis, McNamara, Meccage, Nefzger, Nelson, O'Hair, Prevost, Raundal, Sheehy, Slaby, Stranahan, Sullivan, Tracy, Twedt, Watt, Willits, Zimmer, Mr. Speaker. Total 39.

Noes: Broeder, Casey, Delano, Dye, Falkenstern, Felt, Garrison, Jensen, Leuthold, Lund, MacCalman, Mather, McNamer, Nichols, Nutting, Rehberg, Selstad, Spilde, Swanz, Ulmer. Total 20.

Absent or not voting: Asbjornson, Atkins, Bailey, Bashor, Boughton, Cregg, Crum, Cummings, Deschamps, East, Fisher, Haines, James, Jenkins, Laas, Loman, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary,

Pierce, Rygg, Sartz, Schepens, Shugrue, Smiley, Smith, Tooke, Williams, Woodard. Total 31.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

March 4, 1965

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 522, beg leave to report as follows:

That the Committee is unable to agree and therefor we request that the Conference Committee be dissolved and that a new Conference Committee be appointed.

And recommend that the same be adopted.

For the Senate:

NIXON,
NEES,
HIBBARD;

For the House:

RAUNDAL,
EGAN,
SPILDE.

Conference Committee report on House Bill No. 522 was adopted by the following vote:

Ayes: Aasheim, Bardanoue, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Lewis, Lund, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, O'Hair, Prevost, Raundal, Rehberg, Sheehy, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Watt, Zimmer, Mr. Speaker. Total 52.

Noes: Garrison, MacCalman, Mather, Selstad, Ulmer. Total 5.

Absent or not voting: Asbjornson, Atkins, Bailey, Bashor, Boughton, Cregg, Crum, Cummings, Deschamps, East, Fischer, Haines, James, Jenkins, Laas, Loman, Lombardi, Lucas, McDonald, Nutting, Obstarczyk, O'Leary, Pierce, Rygg, Sartz, Schepens, Shugrue, Smiley, Smith, Tooke, Williams, Willits, Woodard. Total 33.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

March 4, 1965

To the President of the Senate and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Substitute for House Bill No. 332, respectfully report as follows:

That Senate Substitute for House Bill No. 332 be amended as follows:

In Section 1, line 14, page 1 of the original bill, being Section 1, line 4, page 1 of the printed bill, by striking the words and figures "initiative number 54, as amended," and inserting in lieu thereof the words and figures "Section 84-5606, Subdivision 3 and 4, R. C. M. 1947", and

In Section 1, line 15, page 1 of the original bill, being Section 1, line 5, page 1 of the printed bill, by striking the words "commensurate amount" and inserting in lieu thereof the words "an amount to be fixed by law", and

In Section 1, line 15, page 1 of the original bill, being Section 1, line 5 of the printed bill, by adding the word "products" following the word "tobacco", and

As so amended, be adopted.

For the Senate:

MELCHER,
HUNTLEY,
LEHRKIND;

For the House:

SHEEHY,
GILFEATHER,
DELANO.

Conference Committee report on Senate Substitute for House Bill No. 332 was adopted by the following vote:

Ayes: Aasheim, Bardanouve, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Lewis, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Prevost, Raundal, Rehberg, Sheehy, Slaby, Spilde, Stranahan, Sullivan, Swanz, Tracy, Twedt, Watt, Zimmer, Mr. Speaker. Total 54.

Noes: Selstad, Ulmer. Total 2.

Absent or not voting: Asbjornson, Atkins, Bailey, Bashor, Boughton, Cregg, Crum, Cummings, Deschamps, East, Fischer, Garrison, Haines, Harper, James, Jenkins, Laas, Loman, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary, Pierce, Rygg, Sartz, Schepens, Shugrue, Smiley, Smith, Tooke, Williams, Willits, Woodard. Total 34.

Excused: Gerke, McOmber, Scherf, Schye. Total 4.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 458 and House Bill No. 537 considered correctly engrossed.

HARPER, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Joint Resolution No. 40.

HARPER, Chairman.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Substitute for House Bill No. 332 and Senate Substitute for House Bill No. 512.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 522 and

The President appointed the second Conference Committee consisting of:

Senator Beley.
Senator O'Neill.
Senator Mackay.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The President appointed the following Senators to confer on Senate Amendments only to House Bills Nos. 448 and 533.

Senate Amendments to House Bill No. 448, Senator Melcher, Senator Huntley and Senator Lehrkind.

Senate Amendments to House Bill No. 533, Senator Nixon, Senator Keller and Senator Moritz.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Harper, having voted on the prevailing side, moved that the House reconsider its action on Third Reading, in voting favorably on House Bill No. 536. Motion lost.

Motion was made by Felt that House Bill No. 110 be referred to Committee on Reapportionment. Motion carried.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 524: Eskildsen, Zimmer, Nichols.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS STATE OF MICHIGAN MICHIGAN SENATE SENATE RESOLUTION NO. 56

Offered by Senators Youngblood, Jr., Fitzgerald, Garry Brown, Basil Brown, Lockwood, Levin and Novak.

A RESOLUTION CREATING A SPECIAL COMMITTEE ON FEDERAL INCOME TAX RULING.

WHEREAS, Recently there was promulgated a ruling by the United States Department of Revenue which decrees that for federal income tax purposes the "permanent legal residence" of state legislators is their capital city; and

WHEREAS, According to the interpretation by an official representative from the United States Department of Revenue, no expenses incurred in the respective capital cities of such legislators are allowable deductions for federal income tax purposes; now therefore be it

RESOLVED BY THE SENATE, That there is hereby created a special committee, composed of 7 members to be appointed in the manner of standing committees, to function now and during the interim between the 1965 and 1966 Regular Sessions of the Legislature, to investigate and verify the recent ruling by the United States Department of Revenue regarding the "permanent legal residence" of state legislators, and if substantiated as their capital cities, to initiate, support and pursue measures immediately as may be expeditious to obtain redress, and to report its findings and recommendations at the earliest feasible opportunity to the Michigan Legislature; and be it further

RESOLVED, That the members of the Committee shall serve without compensation, but shall be entitled to actual and necessary expenses incurred in the performance of official duties, to be paid from the appropriation to the Senate, not to exceed \$5,000.00; and be it further

RESOLVED, That a copy of this resolution be transmitted forthwith to each Michigan delegate to the Congress of the United States and to the primary presiding officer of each House of the Legislature or General Assembly of all sister States.

Adopted by the Senate, February 23, 1965.

Beryl I. Kenyon /s/
Secretary of the Senate.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committees to confer with like committees from the Senate:

House Bill No. 346: Gill, Fischer, Dye.

Senate Sub. for House Bill No. 448: Cerovski, Healy, Broeder.

House Bill No. 522: Raundal, Egan, Nichols.

House Bill No. 533: Bardanouve, Cregg, Leuthold.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Consideration of Senate Joint Resolution No. 15 be passed for this sitting.

That Senate Amendments to House Bill No. 528 be passed for this sitting.

That the Committee rise and report and beg leave to sit again.

ESKILDSSEN, Chairman.

Report adopted.

THIRD READING OF BILLS

Motion was made by Sheehy that voting on Senate Bill No. 122, which is a constitutional amendment requiring two-thirds vote for passage, be passed for this sitting. Motion carried.

The following House Bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 458 was passed by the following vote:

Ayes: Asbjornson, Bashor, Boughton, Brenner, Broeder, Casey, Cregg, Delano, Dye, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, O'Hair, Pierce, Rehberg, Rygg, Sheehy, Slaby, Smith, Spilde, Stranahan, Swanz, Tracy, Ulmer, Watt, Willits, Mr. Speaker. Total 50.

Noes: Aasheim, Bollinger, Christiansen, Eskildsen, Harper, Leuthold, McNamara, Meccage, Nefzger, Nutting, Prevost, Raundal, Selstad, Smiley, Twedt. Total 15.

Absent or not voting: Atkins, Bailey, Bardanouve, Cerovski, Crum, Cummings, Deschamps, East, Gill, Haines, Jenkins, Judge, Laas, Lombardi, McDonald, Obstarczyk, O'Leary, Sartz, Schepens, Scherf, Shugrue, Sullivan, Tooke, Williams, Zimmer. Total 25.

Excused: Gerke, McOmber, Schye, Woodard. Total 4.

Motion was made by Sheehy that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Sheehy that the House reconsider its action in passing Senate Bill No. 122 for this sitting, and that it be placed on Third Reading. Motion carried.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 122 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Scherf, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Swanz, Tracy, Twedt, Ulmer, Willits, Zimmer, Mr. Speaker. Total 67.

Noes: Cregg, Johnson, Stranahan, Watt. Total 4.

Absent or not voting: Atkins, Bailey, Crum, Cummings, Deschamps, East, Haines, Jenkins, Judge, Lombardi, McDonald, Obstarczyk, O'Leary, Sartz, Schepens, Shugrue, Sullivan, Tooke, Williams. Total 19.

Excused: Gerke, McOmber, Schye, Woodard. Total 4.

Motion was made by Cerovski that the House recess, subject to the Call of the Chair. Motion carried.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

To the President of the Senate and Speaker of the House:

We, your Conference Committee on Senate Amendments to House Bill No. 526 respectfully report the House will accede to the Senate Amendments to House Bill No. 526.

For the Senate:

BELEY,
COLE,
O'NEILL;

For the House:

BOLLINGER,
LEUTHOLD,
RAUNDAL.

Conference Committee report on Senate Amendments to House Bill No. 526 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Chrisitansen, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Scherf, Selstad, Slaby, Smith, Spilde, Stranahan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 66.

Noes: None.

Absent or not voting: Atkins, Bailey, Bashor, Cregg, Crum, Cummings, Deschamps, East, Gilfeather, Haines, Jenkins, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary, Sartz, Schepens, Sheehy, Shugrue, Smiley, Sullivan, Tooke, Williams. Total 24.

Excused: Gerke, McOmber, Schye, Woodard. Total 4.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider House Amendments to Senate Bill No. 104, respectfully report as follows:

That the Senate accede to paragraph 1 of the House Amendments to the title.

That the Senate accede to paragraph 2 of the House Amendments to Section 1.

That the House recede from paragraph 3 of the House Amendments to Section 1.

That the House recede from paragraph 4 of the House Amendments to Section 1.

That the Senate accede to paragraph 5 of the House Amendments to Section 1.

That the Senate accede to paragraph 6 of the House Amendments to Section 1.

And as so amended, be adopted.

For the Senate:

McGOWAN,
SIDERIUS,
GERARD;

For the House:

JUDGE,
FISCHER,
GARRISON.

Conference Committee report on House Amendments to Senate Bill No. 104 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bollinger, Boughton, Brenner, Broeder, Casey, Christiansen, Delano, Dye, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, Meccage, Nefzger, Nelson, Nutting, O'Hair, Pierce, Prevost, Rehberg, Rygg, Scherf, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 63.

Noes: None.

Absent or not voting: Atkins, Bailey, Bardanouve, Bashor, Cerovski, Cregg, Crum, Cummings, Deschamps, East, Egan, Haines, Jenkins, Lombardi, Lucas, McDonald, McNamer, Nichols, Obstarczyk, O'Leary, Raundal, Sartz, Schepens, Shugrue, Sullivan, Tooke, Williams. Total 27.

Excused: Gerke, McOmber, Schye, Woodard. Total 4.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider House Amendments to Senate Bill No. 105, respectfully report as follows:

That the House recede from paragraph 1 of the House Amendments to the title.

That the House recede from paragraph 2 of the House Amendments to the title.

That the House recede from paragraph 3 of the House Amendments to the title.

That the House recede from paragraph 4 of the House Amendments to Section 1.

That the Senate accede to paragraph 5 of the House Amendments to Section 1.

That the Senate accede to paragraph 6 of the House Amendments to Section 1.

That the House recede from paragraph 7 of the House Amendments to Section 1, page 1, line 23 of the original bill, being Section 1, page 1, line 5 of the printed bill.

That the Senate accede to paragraph 8 of the House Amendments to Section 4.

And that as so amended, be adopted.

For the Senate:

McGOWAN,
SIDERIUS,
GERARD;

For the House:

JUDGE,
GARRISON,
FISCHER.

Conference Committee on House Amendments to Senate Bill No. 105 were adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Eklund, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Judge, Laas, Leu-

thold, Lewis, Loman, Lund, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nutting, O'Hair, Pierce, Prevost, Rehberg, Rygg, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Twedt, Ulmer, Watt, Willits, Mr. Speaker. Total 60.

Noes: Eskildsen, Harper, Johnson, Scherf, Tracy, Zimmer. Total 6.

Absent or not voting: Atkins, Bailey, Cregg, Crum, Cummings, Deschamps, East, Egan, Haines, Jenkins, Lombardi, Lucas, MacCalman, McDonald, Nichols, Obstarczyk, O'Leary, Raundal, Sartz, Schepens, Shugrue, Sullivan, Tooke, Williams. Total 24.

Excused: Gerke, McOmber, Schye, Woodard. Total 4.

To the President of the Senate and Speaker of the House:

We, your Joint Conference Committee appointed to consider House Amendments to Senate Bill No. 106, respectfully report as follows:

That the Senate accede to the House Committee of the Whole Amendments to Senate Bill No. 106.

And as so amended, be adopted.

For the Senate:

McGOWAN,
SIDERIUS,
GERARD;

For the House:

JUDGE,
FISCHER,
GARRISON.

Conference Committee report on House Amendments to Senate Bill No. 106 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, Meccage, Nefzger, Nelson, Nutting, O'Hair, Pierce, Prevost, Rehberg, Rygg, Scherf, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 64.

Noes: Harper. Total 1.

Absent or not voting: Atkins, Bailey, Boughton, Cregg, Crum, Cummings, Deschamps, East, Egan, Haines, Jenkins, Lombardi, Lucas, McDonald, McNamer, Nichols, Obstarczyk, O'Leary, Raundal, Sartz, Schepens, Shugrue, Sullivan, Tooke, Williams. Total 25.

Excused: Gerke, McOmber, Schye, Woodard. Total 4.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 51, 119, 219.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The President named the following Senators to the Conference Committee to consider Senate Amendments to House Bill No. 524:

Senator Keller.
Senator Beley.
Senator Brenner.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following House Resolutions were introduced, read first time and referred to committees:

House Resolution No. 27, introduced by Gilfeather, Twedt, O'Hair, Christiansen: A resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the State Board of Equalization of the state of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly. Referred to Committee on State Administration.

House Resolution No. 28, introduced by Johnson, Gilfeather: A resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the Unemployment Compensation Commission of the state of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly. Referred to Committee on Labor and Compensation.

House Resolution No. 29, introduced by McNamara: A resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the National Guard of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly. Referred to Committee on State Administration.

House Resolution No. 30, introduced by Hall, Gilfeather: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the Department of Public Welfare of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee report to the 40th Legislative Assembly. Referred to Committee on Public Health, Welfare and Safety.

House Resolution No. 31, introduced by Raundal, Egan, Nichols, Spilde: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the Montana University System of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly. Referred to Committee on Education.

House Resolution No. 32, introduced by Gill, Christiansen, Gunderson, Slaby, Judge, Delano: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the Fish and Game Commission of the State of Montana, authorizing the committee to invite a like number of Senators to participate, and directing the committee to report to the 40th Legislative Assembly. Referred to Committee on Fish and Game.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Joint Resolution No. 15 be not concurred in.

That Senate Amendments to House Bill No. 528 be passed for this sitting.

That the Committee rise and report and beg leave to sit again.

ESKILDTSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 168, 122.

CONFERENCE COMMITTEE REPORT

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 529, beg leave to report as follows:

That we met this day and considered Senate Finance and Claims Committee amendments to House Bill No. 529, and recommend as follows:

That House accede to all amendments to House Bill No. 529 with the exception of the Senate Finance and Claims Committee Amendments to Section 3, page 10, line 22 of the original bill, being Section 3, page 9, line 196 of the printed bill, by deleting the figures: "\$428,950.00 and \$492,800.00" and inserting in lieu thereof the figures: "\$408,950.00 and \$472,800.00",

And recommend that the same be adopted.

For the Senate:

MacDONALD,
KAFKA,
MORTIZ;

For the House:

LAAS,
BASHOR,
ASBJORNSEN.

Conference Committee Report on House Bill No. 529 was adopted by the following vote:

Ayes: Asbjornsen, Bardanouve, Bollinger, Boughton, Brenner, Broeder, Casey, Christiansen, Delano, Dye, Egan, Eklund, Eskildsen, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lund, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Selstad, Slaby, Smiley, Spilde, Stranahan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 61.

Noes: None.

Absent or not voting: Aasheim, Atkins, Bailey, Bashor, Cerovski, Cregg, Crum, Cummings, Deschamps, East, Falkenstern, Garrison, Haines, Jenkins, Loman, Lombardi, Lucas, MacCalman, McDonald, Obstarczyk, O'Leary, Sartz, Schepens, Scherf, Sheehy, Shugrue, Smith, Sullivan, Williams, Tooke. Total 30.

Excused: Gerke, Schye, Woodard. Total 3.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate on roll call vote adopted the Joint Conference Committee reports on House Amendments to Senate Bills Nos. 104, 105, and 106.

Respectfully,

ALLEN, DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 529.

The President named the following Senators to the Joint Conference Committee on Senate Amendments to House Bill No. 346:

Senator Groff.
Senator Davis.
Senator Moberly.

Respectfully,

ALLEN, DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Senate Substitute for House Bill No. 322, House Bill No. 517 and House Bill No. 5.

HARPER, Chairman.

I have examined House Bill No. 5 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined Senate Substitute for House Bill No. 332 introduced by me and find the same to be correct.

HARPER.

I have examined House Bill No. 517 introduced by me and find the same to be correct.

WAYRYNEN.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bill No. 5, Senate Substitute for House Bill No. 332, House Bill No. 517.

MOTIONS AND RESOLUTIONS

The following resolutions were introduced, read first time, and referred to committees:

House Resolution No. 33, introduced by Bollinger, Watt, MacCalman: A Resolution of the House of Representatives authorizing the Speaker of the House to appoint an interim committee of the House consisting of three members for the purpose of keeping current with the activities of the State Department of Institutions of the State of Montana, authorizing the committee to invite a like number of Senators to participate and directing the committee to report to the 40th Legislative Assembly. Referred to Committee on State Administration.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, appropriation measures at length, and referred to committee:

House Bill No. 540, introduced by Hall: A bill for an act entitled: "An act to appropriate money to Interim Committees of the House of Representatives for study of the following departments and agencies of the State of Montana: Department of Public Welfare; State Board of Equalization; National Guard; Unemployment Compensation Commission; Fish and Game Commission; State Department of Institutions; and Montana University System." Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That consideration of Senate Amendments to House Bill No. 528 be passed for this sitting.

That House Bill No. 532 be amended by striking out in line 13 of the original bill by striking out the words "title I of".

And as amended, do pass.

That the Committee rise and report and beg leave to sit again.

ESKILDSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following House Bill, having been read three several times, appropriation measures at length, title and history agreed to, was disposed of in the following manner:

House Bill No. 532 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bollinger, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Neffzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Rehberg, Rygg, Selstad, Slaby, Smiley, Spilde, Stranahan, Swanz, Tracy, Twedt, Ulmer, Watt, Willits, Zimmer, Mr. Speaker. Total 63.

Noes: None.

Absent or not voting: Atkins, Bailey, Bashor, Boughton, Cregg, Crum, Cummings, Deschamps, East, Garrison, Haines, Jenkins, Loman, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary, Raundal, Sartz, Schepens, Scherf, Sheehy, Shugrue, Smith, Sullivan, Tooke, Williams. Total 28.

Excused: Gerke, Schye, Woodard. Total 3.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 27, respectfully report as follows: That House Resolution No. 27 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor and Compensation, having had under consideration House Resolution No. 28, respectfully report as follows: That House Resolution No. 28 do pass.

JOHNSON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 29, respectfully report as follows: That House Resolution No. 29 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 30, respectfully report as follows: That House Resolution No. 30 do pass.

FLYNN, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Resolution No. 32, respectfully report as follows: That House Resolution No. 32 do pass.

GILL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 33, respectfully report as follows: That House Resolution No. 33 do pass.

ESKILDSEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

House Joint Resolution No. 41, introduced by Judge, McNamara: A Joint Resolution of the Senate and House of Representatives consenting to a capitol construction program. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Bill No. 528 be concurred in.

That the Committee rise and report and beg leave to sit again.

JUDGE, Chairman.

Report adopted.

THIRD READING OF BILLS

The following, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 528 were concurred in by the following vote:

Ayes: Aasheim, Asbjornson, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Falkenstern, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, McOmber, Meccage, Nefzger, Nelson, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Ulmer, Watt, Woodard, Mr. Speaker. Total 60.

Noes: None.

Absent or not voting: Atkins, Bailey, Bardanouve, Bollinger, Cregg, Crum, Cummings, Deschamps, East, Eskildsen, Felt, Garrison, Haines, Harper, Jenkins, Lombardi, Lucas, McDonald, McNamer, Nichols, Obstarczyk, O'Leary, Sartz, Schepens, Scherf, Shugrue, Sullivan, Tooke, Tracy, Twedt, Williams, Willits, Zimmer. Total 33.

Excused: Gerke. Total 1.

Motion was made by Cerovski that the House revert to Order of Business No. 3. Motion carried.

CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on House Bill No. 522, respectfully report as follows:

That no agreement was reached, request the committee be dissolved and request a new conference committee be appointed.

For the Senate:

BELEY,
MACKAY,
O'NEILL;

For the House:

RAUNDAL,
EGAN,
NICHOLS.

Conference Committee Report on House Bill No. 522 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eklund, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Jensen, Johnson, Judge, Laas, Leuthold, Lewis, Loman, MacCalman, Mather, McNamara, McOmber, Meccage, Nefzger, Nelson, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Schye, Slaby, Smiley, Smith, Spilde, Stranahan, Swanz, Ulmer, Watt, Woodard, Mr. Speaker. Total 58.

Noes: Selstad. Total 1.

Absent or not voting: Atkins, Bailey, Bardanouve, Bollinger, Cregg, Crum, Cummings, Deschamps, East, Eskildsen, Garrison, Haines, Harper, Jenkins, Lombardi, Lucas, Lund, McDonald, Nichols, Nutting, Obstarczyk,

O'Leary, Sartz, Schepens, Scherf, Sheehy, Shugrue, Sullivan, Tooke, Tracy, Twedt, Williams, Willits, Zimmer. Total 34.

Excused: Gerke. Total 1.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on Senate Substitute for House Bill No. 448, respectfully report as follows:

We, your Joint Conference Committee on Senate Substitute for House Bill No. 448, respectfully report as follows:

That no agreement was reached and therefore request that the committee be dissolved.

For the Senate:

MELCHER,
HUNTLEY,
LEHRKIND;

For the House:

CEROVSKI,
HEALY,
BROEDER.

Conference Committee report on Senate Substitute to House Bill No. 448 was adopted by the following vote:

Ayes: Aasheim, Bashor, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, Deschamps, Dye, Eklund, Fischer, Flynn, Gilfeather, Gill, Gunderson, Hall, Hanks, Healy, Holtz, Johnson, Judge, Lewis, Lombardi, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, O'Hair, Prevost, Rygg, Scherf, Sheehy, Slaby, Watt, Zimmer, Mr. Speaker. Total 40.

Noes: Delano, Falkenstern, Jensen, Lucas, Lund, Nutting, Rehberg, Schye, Selstad, Smiley, Smith, Swanz, Ulmer, Woodard. Total 14.

Absent or not voting: Asbjornson, Atkins, Bailey, Bardanouve, Bolinger, Cregg, Crum, East, Egan, Eskildsen, Felt, Garrison, Gilligan, Haines, Harper, James, Jenkins, Laas, Leuthold, Loman, MacCalman, McDonald, McOmber, Nichols, Obstarczyk, O'Leary, Pierce, Raundal, Sartz, Schepens, Shugrue, Spilde, Stranahan, Sullivan, Tooke, Tracy, Twedt, Williams, Willits. Total 39.

Excused: Gerke. Total 1.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed the following Conference Committee of three to meet with a like committee from the Senate to confer on House Bill No. 522: Raundal, Eskildsen, Spilde.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 41, respectfully report as follows: That House Joint Resolution No. 41 do pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 538, respectfully report as follows: That House Bill No. 538 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 540, respectfully report as follows: That House Bill No. 540 do pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 539, respectfully report as follows: That House Bill No. 539 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 509, respectfully report as follows: That House Bill No. 509 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 507, respectfully report as follows: That House Bill No. 507 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 492, respectfully report as follows: That House Bill No. 492 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 20, respectfully report as follows: That House Joint Resolution No. 20 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 531, respectfully report as follows: That House Bill No. 531 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 523, respectfully report as follows: That House Bill No. 523 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 39, respectfully report as follows: That House Joint Resolution No. 39 do not pass.

BARDANOUVE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Resolution No. 31, respectfully report as follows: That House Resolution No. 31 do pass.

AASHEIM, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Resolution No. 19, respectfully report as follows: That House Resolution No. 19 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Resolution No. 18, respectfully report as follows: That House Resolution No. 18 do not pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration Senate Bill No. 65, respectfully report as follows: That Senate Bill No. 65 do pass, subject to a ruling as to whether it is properly before the House.

SHEEHY, Chairman.

Report adopted.

The Speaker referred Senate Bill No. 65 to the Rules Committee.

March 4, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 517, 5, 434, 514, 4, 208 and Senate Substitute for House Bill No. 332 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:00 o'clock a.m. delivered to the Governor for his approval.

HARPER, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: Senate Substitute for House Bill No. 512, House Bill No. 447.

HARPER, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 520.

HARPER, Chairman.

I have examined House Bill No. 447 introduced by me and find the same to be correct.

GILFEATHER.

I have examined House Bill No. 520 introduced by me and find the same to be correct.

SCHYE.

I have examined Senate Substitute for House Bill No. 512 introduced by me and find the same to be correct.

WATT.

The Speaker signed the following bills in open session, the titles having first been read: House Bill No. 447, Senate Substitute for House Bill No. 512, House Bill No. 520.

CONFERENCE COMMITTEE REPORTS

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Finance and Claims amendments to House Bill No. 525, respectfully report as follows:

That the following Senate Finance and Claims amendments to House Bill No. 525 be deleted or added as follows:

Section 1. Page 1 of the original bill by deleting lines 15 through 26 and inserting in lieu thereof the following material:

"(1) The term "operation" means all ordinary and necessary expenditures for operation of the institution to which the appropriation applies, and repairs and maintenance, but does not include personal services.

(2) The term "personal services" means all salaries and wages of full time, part time and temporary employees of the state and includes the state's contribution for social security, public employees' retirement, teachers' retirement, and industrial accident insurance.

(3) The term "repairs and maintenance" means repairs to equipment and the cost of replacement of parts of equipment, repairs to buildings and to the plumbing, heating, wiring and air conditioning system in

buildings occasioned by ordinary wear and tear or by physical damage, and the cost of painting the exteriors and interiors of buildings. Major alterations of existing buildings are capital expenditures and are not repairs and maintenance."

Section 2. Page 2 of the original bill by deleting lines 4 through 19 and inserting in lieu thereof the following material:

"Section 2. The appropriations contained in this act are intended to provide only necessary and ordinary expenditures for the year for which the appropriations are made; however, in cases of necessity, an appropriation not expended during the first fiscal year may be expended during the second fiscal year. It is unlawful to purchase supplies for a succeeding biennium from an appropriation contained in this act without the approval of the budget director. Balances of any appropriation unexpended at the end of the second fiscal year, except amounts encumbered by purchase order, shall revert to the funds from which they were appropriated. Transfer between accounts may be made by approval of the Board of Examiners. No money from the appropriations contained in this act shall be used for central data processing or other consolidated services performed by the department of administration, except at the discretion of the official involved."

Section 3. Page 3 of the original bill following line 19 by adding the following words and figure:

"(b) From general fund \$10,000 for court costs involved in habeas corpus writs. Money from this account shall not be used for, or transferred to, any other purpose."

Section 3. Page 3 of the original bill, line 28, by deleting the figure: "\$9,640."

Section 3. Page 3 of the original bill, line 30 by deleting the figure: "\$2,000" and insert in lieu thereof the figure "\$11,000".

Section 3. Page 4 of the original bill following line 23, by adding the following material:

"5. For administration of the 'Protection of Copyright Users Act'

(a) From the earmarked revenue fund, copyright commission account, as much as may be necessary to administer the 'Protection of Copyright Users Act' "

Section 3. Page 5 of the original bill, lines 28 through 30 and page 6 lines 1 through 5 of the original bill, by deleting the material therein in its entirety and inserting in lieu thereof the following material:

"1. For personal services.

(a) From general fund \$ 37,980 \$ 39,600

(b) From earmarked revenue fund,
unclaimed property account \$ 5,784 \$ 5,989."

Section 3. Page 6 line 6 of the original bill, by deleting the numeral "3" and inserting the numeral "2".

Section 3. Page 6, line 9 of the original bill, strike figure "\$2,365" and insert in lieu thereof, "\$1,000". Line 11 of the same page of the original bill, strike figure "\$2,485" and insert in lieu thereof, "\$3,485". Line 13 by striking the figure "\$250" and insert in lieu thereof the figure "\$400". Line 12 of the same page, delete number "4" and insert in lieu thereof number "3".

Section 3. Page 6, lines 29 and 30 of the original bill, by deleting the material therein in its entirety and inserting in lieu thereof the following material:

“(a) Personal services \$215,372 \$216,633”.

Section 3. Page 7, lines 1 and 2 of the original bill by deleting the letters “(c)” and “(d)” and inserting in lieu thereof the following letters in order “(b)” and “(c)”.

Section 3. Page 9, of the original bill by deleting lines 10 through 13 in its entirety and inserting in lieu thereof the following material:

“1. For personal services,
from the general fund \$124,308 \$145,200”.

Following line 9 of the original bill by adding the following material:

“2. From the unexpended balance
1963-1965 biennium in general
fund appropriation \$ 20,492 —0—”.

Page 9, line 14 of the original bill by deleting number “2” and inserting in lieu thereof the number “3”.

Page 9, lines 18 through 21, by deleting in its entirety.

Page 9, line 25, by deleting the figure “\$20,492” and inserting in lieu thereof the figure “—0—”.

Page 9, line 29, by deleting the figure “\$20,000” and inserting in lieu thereof the figure “\$40,492”.

And as so amended, be adopted.

For the Senate:

RIEDER,
McGOWAN,
LEHRKIND;

For the House:

HARPER,
TWEDT,
HAINES.

Conference Committee Report on House Bill No. 525 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Flynn, Garison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meece, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Scherf, Selstad, Slaby, Smith, Spilde, Swanz, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 69.

Noes: None.

Absent or not voting: Atkins, Bailey, Cregg, Crum, East, Fischer, James Jenkins, Laas, McDonald Obstarczyk, O'Leary, Sartz, Schepens, Schye, Sheehy, Shugrue, Smiley, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 24.

Excused: Gerke. Total 1.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on House Bill No. 524 respectfully report as follows; by amending Senate Finance and Claims Committee amendments to House Bill No. 524:

From the section on State Planning Board by deleting the figures \$75,000.00 and \$75,000.00 and inserting in lieu thereof the figures \$60,000.00 and \$60,000.00, and

From the section on State Historical Society by deleting the figures \$90,000.00 and \$90,000.00 and inserting in lieu thereof the figures \$85,000.00 and \$85,000.00, and

From the section on Budget Director by deleting the figures \$42,000.00 and \$48,000.00 and inserting in lieu thereof \$37,300.00 and \$40,000.00, and

From the section on Commissioner of State Lands and Investments by deleting the figures \$115,621.00 and \$115,621.00 and inserting in lieu thereof \$112,500.00 and \$112,500.00, and

From the section on Department of Administration by deleting the figures \$438,466.00 and \$502,084.00 and inserting in lieu thereof the figures \$389,466.00 and \$461,084.00, and

From the section on Department of Administration by striking subsection 8 in its entirety, and

From the section on Sanitary Board by deleting the figure \$14,000.00 for salary paid to the head of the department and inserting in lieu thereof the figure \$12,500.00 for salary to be paid to the head of the department, and

From the section on State Water Conservation Board by deleting the figures \$90,000.00 and \$90,000.00 and inserting in lieu thereof the figures \$105,000.00 and \$105,000.00.

For the Senate:

BELEY,
KELLER,
BRENNER;

For the House:

ESKILDSEN,
ZIMMER,
NICHOLS.

Conference Committee Report on House Bill No. 524 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Scherf, Schye, Selstad, Slaby, Smiley, Smith, Spilde, Swanz, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 72.

Noes: None.

Absent or not voting: Atkins, Bailey, Cregg, Crum, East, James, Jenkins, Laas, McDonald, Obstarczyk, O'Leary, Sartz, Schepens, Sheehy, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 21.

Excused: Gerke. Total 1.

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 346 beg leave to report as follows:

That we met this day and considered Senate Finance and Claims Committee amendments to House Bill No. 346, and recommend as follows:

That said Finance and Claims amendment be stricken in its entirety and that following be substituted in lieu thereof:

"Amend on page 8, line 4, Section 16 of the original bill, being page 8, lines 5 and 6, Section 16 of the printed bill by deleting the words and figures "three hundred thousand dollars (\$300,000.00)" and inserting in lieu thereof the words and figures "forty-five thousand dollars (\$45,000.00)".

And recommend that the same be adopted.

For the Senate:

GROFF,
DAVIS,
MOBERLY;

For the House:

GILL,
FISCHER,
DYE.

Conference Committee Report on House Bill No. 346 was adopted by the following vote:

Ayes: Asbjornson, Bashor, Boughton, Brenner, Cerovski, Delano, Dye, Egan, Falkenstern, Felt, Fischer, Flynn, Garrison, Gill, Gilligan, Haines, Hall, Hanks, Healy, Holtz, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Pierce, Rehberg, Schye, Selstad, Smith, Swanz, Ulmer, Woodard, Mr. Speaker. Total 38.

Noes: Aasheim, Bardanouve, Bollinger, Broeder, Casey, Christiansen, Cummings, Deschamps, Eklund, Eskildsen, Gilfeather, Gunderson, Harper, Johnson, Judge, Lombardi, McNamara, McOmber, Meccage, Nefzger, Nutting, O'Hair, Prevost, Raundal, Rygg, Scherf, Slaby, Smiley, Spilde, Twedt, Watt, Zimmer. Total 32.

Absent or not voting: Atkins, Bailey, Cregg, Crum, East, James, Jenkins, Jensen, Laas, Lewis, McDonald, Obstarczyk, O'Leary, Sartz, Schepens, Sheehy, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Wilits. Total 23.

Excused: Gerke. Total 1.

MESSAGES FROM THE GOVERNOR

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 517, 5, 434, 514, 4, 208, Senate Substitute for House Bill No. 332.

TIM BABCOCK, Governor,
By Jeanie Morris.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day adopted the Joint Conference Committee reports on Senate Amendments to House Bills Nos. 346, 524, and 525.

Respectfully,
ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The President appointed a Second Conference Committee on Senate Substitute for House Bill No. 448 consisting of:

Senator Manning.
Senator Huntley.
Senator Lehrkind.

The President also named the Third Conference Committee to consider Senate Amendment to House Bill No. 522.

Senator Cumming.
Senator Mahoney.
Senator Edwards.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 532, introduced by Committee on Appropriations, was this day read third time and concurred in, title and history agreed to and is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to Committee on Reapportionment.

House Resolution No. 34, introduced by Committee on Reapportionment: A Resolution of the House of Representatives of the Thirty-ninth Legislative Assembly of the State of Montana for an interim committee to be appointed by the Speaker on matters of reapportionment.

Motion was made by Cerovski that the Speaker be authorized to appoint a Conference Committee of three to confer with a like committee from the Senate on House Bill No. 448. Motion carried.

Motion was made by Harper that House Bill No. 526 be taken from Third Reading and placed on Second Reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 526 be amended as follows:

Amend Section 6 by striking out in line 29 and 30, page 6 of the original bill after the word "fund" and the comma (",") the words "veterans home U. S. aid account" and inserting in lieu thereof the words "soldiers' home account".

And as amended, do pass.

That the Committee rise and report and beg leave to sit again.

ESKILDSSEN, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 526 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Laas, Leuthold, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Rehberg, Rygg, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Swanz, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 71.

Noes: None.

Absent or not voting: Atkins, Bailey, Cregg, Crum, East, Garrison, Gill, James, Jenkins, Jensen, McDonald, Obstarczyk, O'Leary, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 22.

Excused: Gerke. Total 1.

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate on House Bill No. 448: Cerovski, Bashor, Schye.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 4, 1965

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 540 and House Joint Resolution No. 41, beg leave to report that the same have this date been returned from the printer correctly printed.

SCHERF, Vice-Chairman.

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration House Resolution No. 26, respectfully report as follows: That House Resolution No. 26 do pass.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Reapportionment, having had under consideration House Resolution No. 34, respectfully report as follows: That House Resolution No. 34 do pass.

SHEEHY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration a point of order concerning Senate Bill No. 65, respectfully report as follows: That Senate bills must be transmitted to the House by the 42nd day. Since Senate Bill No. 65 was transmitted to the House on the 60th day, a suspension of the rules is required to receive this bill. After passage of House Resolution No. 26 and Senate Resolution No. 21, 2/3 vote is required to temporarily suspend the rules to receive Senate Bill No. 65.

CEROVSKI, Chairman.

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 540 be placed at the bottom of the list.

That House Joint Resolution No. 41 do pass.

That House Bill No. 540 be amended as follows:

Amend the title by striking the punctuation “.” and final quotation mark and inserting the words “and Montana Highway Commission.”

Amend by adding in line 27 a new subsection No. “8. Montana Highway Commission—\$1,500.00”.

Amend Section 1 by inserting in line 1 the word, figure and punctuation “Section 1.” prior to the word “there”.

And as amended, do pass.

That the Committee rise and report and beg leave to sit again.

ESKILDSEN, Chairman.

Report adopted. Hall.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 41 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bashor, Bollinger, Boughton, Brenner, Broeder, Casey, Cerovski, Christiansen, Cummings, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gill, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, Jensen, Johnson, Judge, Lewis, Loman, Lombardi, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nutting, O'Hair, Pierce, Prevost, Raundal, Rygg, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Swanz, Twedt, Watt, Woodard, Zimmer, Mr. Speaker. Total 65.

Noes: None.

Absent or not voting: Atkins, Bailey, Bardanouve, Cregg, Crum, Delano, Deschamps, East, James, Jenkins, Laas, Leuthold, McDonald, Mc-

Omber, Nichols, Obstarczyk, O'Leary, Rehberg, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Ulmer, Williams, Willits. Total 28.

Excused: Gerke. Total 1.

House Bill No. 540 was passed by the following vote:

Ayes: Aasheim, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Eskildsen, Fischer, Flynn, Gilfeather Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Johnson, Judge, Lombardi, MacCalman, McNamara, Meccage, Nefzger, O'Hair, Prevost, Raundal, Scherf, Schye, Sheehy, Slaby, Twedt, Watt, Zimmer, Mr. Speaker. Total 41.

Noes: Asbjornson, Boughton, Broeder, Casey, Dye, Falkenstern, Felt, Garrison, Haines, Jensen, Lewis, Loman, Lucas, Lund, Mather, McNamer, Nelson, Nutting, Pierce, Rygg, Selstad, Smiley, Smith, Spilde, Swanz, Woodard. Total 26.

Absent or not voting: Atkins, Bailey, Cregg, Crum, Delano, East, James, Jenkins, Laas, Leuthold, McDonald, McOmber, Nichols, Obstarczyk, O'Leary, Rehberg, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Ulmer, Williams, Willits. Total 26.

Excused: Gerke. Total 1.

Motion was made by Cerovski that the House revert to Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Lucas that the House of Representatives temporarily suspend its rules for the limited and sole purpose of receiving and considering any bills from the Senate to transfer Park County only from the second Congressional district to the first Congressional district in Montana, with the proviso that such bills may not be amended to transfer any other counties.

Substitute motion was made by Gilfeather to amend the motion by Lucas by inserting after the words "Park County" the words "and Sweet Grass County". Substitute motion was lost. Original motion was lost.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

March 4, 1965

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider House Bill No. 533, respectfully report as follows:

That the House accede to the Senate Amendments.

That House Bill No. 533 be amended as follows with the following insert after line 22, page 1 of the original bill, being line 8, page 1 in Section 1:

"The State Tuberculosis Sanitarium shall provide at its institution free treatment and care to Montana residents afflicted with quadriplegia,

provided that said persons were residents of Montana at the time they became afflicted with quadriplegia."

For the Senate:

KELLER,
MORITZ,
NIXON;

For the House:

BARDANOUE,
LEUTHOLD,
CREGG.

Motion was made by Bardanoue for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanoue, Bashor, Brenner, Christiansen, Delano, Deschamps, Dye, Egan, Eklund, Eskildsen, Fischer, Garrison, Gilfeather, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Lombardi, Lund, MacCalman, McNamer, Meccage, Nelson, Nichols, Nutting, Prevost, Rygg, Slaby, Smiley, Smith, Spilde, Swanz, Twedt, Zimmer, Mr. Speaker. Total 44.

Noes: Bollinger, Boughton, Broeder, Casey, Cerovski, Cummings, Falkenstern, Felt, Flynn, Gill, Harper, Loman, Lucas, Mather, McNamara, McOmber, Nefzger, O'Hair, Pierce, Raundal, Schye, Selstad, Sheehy, Ulmer, Watt. Total 25.

Absent or not voting: Atkins, Bailey, Cregg, Crum, East, Haines, Jenkins, Jensen, Johnson, McDonald, Obstarczyk, O'Leary, Rehberg, Sartz, Schepens, Scherf, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits, Woodard. Total 24.

Excused: Gerke. Total 1.

MOTIONS AND RESOLUTIONS

Motion was made by Sheehy that the Speaker appoint a committee of five from the membership of the House to ask for a conference and to confer with the Governor to determine what his intentions are with respect to legislation subsequently enacted at this Assembly. Motion carried.

Motion was made by Lucas that the House of Representatives temporarily suspend its rules for the limited and sole purpose of receiving and considering any bills, including Senate Bill No. 65, from the Senate to transfer Park County only from the second Congressional district to the first Congressional district in Montana with the proviso that such bills may not be amended to transfer any other counties.

Substitute motion was made by Cerovski that the motion by the gentleman from Custer be divided.

The Speaker referred the matter to the Rules Committee.

UNFINISHED BUSINESS

The Speaker appointed the following committee of five to confer with the Governor to determine his intentions with respect to legislation subsequently enacted at this Assembly: Wayrynen, Cerovski, Sheehy, Lucas, Felt.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 532.

HARPER, Chairman.

I have examined House Bill No. 532 introduced by me and find the same to be correct.

BARDANOUE.

The Speaker signed House Bill No. 532 in open session, the title having first been read.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 4, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 447, 520, and Senate Substitute for House Bill No. 512, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 5:17 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 540 and House Joint Resolution No. 41 considered correctly engrossed.

HARPER, Chairman.

Received of Chairman, Bills Committee, Warren Harper, House Bills Nos. 447 and 520, and Senate Substitute for House Bill No. 512.

TIM BABCOCK, Governor,
By Jeanie Morris.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to and the same is herewith returned to the House:

House Bill No. 526, introduced by Committee on Appropriations.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee Report on Senate Amendments to House Bill No. 533.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Eskildsen that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee having had under consideration Senate Substitute for House Bill No. 448, beg leave to report as follows:

Amend Section 1, of the original bill page 2, line 16, being in the printed bill page 2, line 30, by deleting the figures 1.2% and inserting in lieu thereof the figures 1.1%;

Further amend Section 1 of the original bill page 2, line 19, being page 2, line 32 of the printed bill by deleting the figures 2.3% and inserting in lieu thereof the figures 2.2%;

Further amend Section 1 of the original bill, page 2, line 22, being page 2, line 34 of the printed bill by deleting the figures 3.4% and inserting in lieu thereof the figures 3.3%;

Further amend Section 1 of the original bill, page 2, line 28, being page 2, line 38 in the printed bill, by deleting the figures 5.6% and inserting in lieu thereof 5.7%;

And further amend Section 1 of the original bill, page 3, line 1, being page 2, line 40 of the printed bill, by deleting the figures 7.8% and inserting in lieu thereof the figures 8.1%.

And as so amended, be adopted.

For the Senate:

MANNING,
HUNTLEY,
LEHRKIND;

For the House:

CEROVSKI,
BASHOR,
SCHYE.

Motion was made by Bashor that the committee report be adopted.

Substitute motion was made by Hall that the Conference Committee report of Senate Substitute for House Bill No. 448 be not concurred in and that the Speaker appoint a new free Conference Committee to confer with a like Committee from the Senate.

Substitute motion for all motions pending was made by Sheehy that the House pass consideration of this report for this sitting. Substitute motion lost by the following vote:

Ayes: Aasheim, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Eskildsen, Flynn, Gill, Gunder-son, Hanks, Harper, Healy, Judge, Laas, Lewis, McNamara, McOmber, Meccage, Nefzger, O'Hair, Prevost, Raundal, Scherf, Sheehy, Twedt, Watt, Zimmer, Mr. Speaker. Total 33.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Delano, Dye, Falkenstern, Felt, Fischer, Garrison, Gilfeather, Gilligan, Haines, Hall, Holtz, James, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Schye, Selstad, Slaby, Smiley, Smith, Spilde, Swanz, Ulmer, Woodard. Total 37.

Absent or not voting: Atkins, Bailey, Cregg, Crum, East, Jenkins, Jensen, Johnson, Lombardi, McDonald, Obstarczyk, O'Leary, Rehberg, Rygg, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 23.

Excused: Gerke. Total 1.

Substitute motion by Hall was carried by the following vote:

Ayes: Aasheim, Bardanouve, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Deschamps, Egan, Eklund, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Hoitz, Judge, Laas, Lewis, Mather, McNamara, McOmber, Meccage, Nefzger, O'Hair, Prevost, Raundal, Scherf, Sheehy, Slaby, Twedt, Watt, Zimmer. Total 37.

Noes: Asbjornson, Bashor, Boughton, Broeder, Casey, Delano, Dye, Falkenstern, Felt, Fischer, Garrison, Haines, James, Leuthold, Loman, Lucas, Lund, MacCalman, McNamer, Nelson, Nichols, Nutting, Pierce, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Ulmer, Woodard, Mr. Speaker. Total 32.

Absent or not voting: Atkins, Bailey, Cregg, Crum, East, Eskildsen, Jenkins, Jensen, Johnson, Lombardi, McDonald, Obstarczyk, O'Leary, Rehberg, Rygg, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 24.

Excused: Gerke. Total 1.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Substitute for House Bill No. 448.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed. Mr. Speaker in the Chair.

MESSAGES FROM THE GOVERNOR

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana
Honorable Ted James
President of the Senate
39th Legislature
State Capitol
Helena, Montana

Gentlemen:

It is my advice and conviction that upon reaching the 60th day of a Legislative Session the Governor has 15 days in which to approve or reject bills. It is my intent to utilize this time to properly examine and approve or disapprove bills received by me.

A Select Committee of the House of Representatives has indicated that my veto of House Bill No. 238 and its transmission to the Secretary of the State deprives the House of an opportunity to override my veto since they have not adjourned.

Although I consider my action entirely proper I am more than willing to return the attached bill together with my veto message to the House of Representatives without my approval.

Sincerely yours,

TIM BABCOCK, Governor.

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana
Honorable Ted James
President of the Senate
39th Legislature
State Capitol
Helena, Montana

Gentlemen:

Attached hereto is House Bill No. 238, without my approval for the following reason:

House Bill No. 238 requires condemnees (defendant landowners) to choose either a hearing before a three man value commission appointed by the Court, or a trial by jury in the State District Court. If the value commission award is unjust for either the condemnee or the State, both the landowner and the State are precluded from any further right of appeal for a trial by jury as presently provided for under our existing condemnation law.

House Bill No. 238 would deny the State of Montana or any of its political subdivisions which are required to condemn private property for a public use, the right to elect a trial by jury. This strikes me as inequitable, and I believe that the people of Montana have a right and obligation through their State agents to a trial by jury, the same as any other litigant in a lawsuit.

Statistics bear out that awards made by value commission hearings are, for the most part, usually in excess of jury awards. Excessive commission awards could place the State of Montana in a position of seeking redress only through the process of appeals to the State Supreme Court. Numerous appeals to the State Supreme Court will require additional time increase for both the State and the condemnee in litigation.

In the final analysis, there could be a very serious delay in construction of our State highway systems. If high costs and delay are brought about because of limitations placed upon the State by statute, then there is a definite possibility that the Federal Government would, of necessity, be required to acquire right of way in Montana for highway construction. I am familiar with the Federal "Quick Take Laws" used by the Federal Government which I believe to be harsh and most certainly could prove to be oppressive to our citizens whose property is condemned for public purposes.

I am aware of the fact that the present value commission system is inadequate for our modern highway system. However, House Bill No. 238 merely penalizes condemning agencies in denying their right to trial by jury.

In addition, I want to point out that House Bill No. 238 also effects Montana private corporations and cooperatives which have powers of eminent domain for laying pipelines, constructing telephone lines, or to carry out similar purposes affected with a public interest. The inequitable features of this bill certainly apply to these groups as well as to the State and its political subdivisions.

Sincerely yours,

TIM BABCOCK, Governor.

The Governor's veto was sustained by the following vote:

Ayes: Aasheim, Bardanouve, Bashor, Bollinger, Brenner, Cerovski, Christiansen, Cummings, Eklund, Eskildsen, Felt, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, Judge, Laas,

Lewis, McNamara, McOmber, Meccage, Nefzger, Obstarczyk, O'Hair, Prevost, Raundal, Scherf, Sheehy, Slaby, Twedt, Watt, Zimmer, Mr. Speaker. Total 39.

Noes: Asbjornson, Broeder, Casey, Delano, Dye, Falkenstern, Fischer, Garrison, Haines, James, Leuthold, Lucas, Lund, MacCalman, Mather, McNamer, Nelson, Nichols, Nutting, Pierce, Schye, Selstad, Smiley, Smith, Spilde, Swanz, Ulmer, Woodard. Total 28.

Absent or not voting: Atkins, Bailey, Boughton, Cregg, Crum, Deschamps, East, Egan, Jenkins, Jensen, Johnson, Loman, Lombardi, McDonald, O'Leary, Rehberg, Rygg, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 26.

Excused: Gerke. Total 1.

MESSAGE FROM THE SENATE

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to and the same are returned to the House for concurrence.

House Joint Resolution No. 41, introduced by Judge.

House Bill No. 535, introduced by Committee on Appropriations.

House Bill No. 536, introduced by Committee on Appropriations.

House Bill No. 537, introduced by Committee on Appropriations.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the Chief Clerk of the House be instructed to prepare a final printed status; such status to be combined with the Senate, so that one booklet will contain the combined House and Senate status; that a total of 1,000 be printed, with the House to bear the cost of 550 such reports and the Senate 450. Each member of the Legislature will be mailed such report, with the balance to be placed with the Secretary of State. Motion carried.

The Speaker appointed the following House members to serve on the Legislative Council Committee: Bardanouve, Judge, Bollinger, Broeder, Nichols, Boughton.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That Senate Amendments to House Joint Resolution No. 41 be concurred in.

That Senate Amendments to House Bill No. 535 be not concurred in but that the Speaker appoint a Conference Committee to meet with a like Committee from the Senate.

That Senate Amendments to House Bill No. 536 be not concurred in but that the Speaker appoint a Conference Committee to meet with a like Committee from the Senate.

That Senate Amendments to House Bill No. 537 be not concurred in but that the Speaker appoint a Conference Committee to meet with a like Committee from the Senate.

That the Committee rise and report and beg leave to sit again.

ESKILDSSEN, Chairman.

Report adopted.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Joint Resolution No. 41 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gilfeather, Gilligan, Gunderson, Haines, Hall, Hanks, Harper, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Pierce, Prevost, Raundal, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Swanz, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 66.

Noes: None.

Absent or not voting: Atkins, Bailey, Boughton, Broeder, Cregg, Crum, Deschamps, East, Gill, Jenkins, Jensen, Johnson, Lombardi, McDonald, O'Leary, Rehberg, Rygg, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tookey, Tracy, Twedt, Williams, Willits. Total 27.

Excused: Gerke. Total 1.

March 4, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bill No. 532, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 11:07 o'clock, a.m., delivered to the Governor for his approval.

HARPER, Chairman.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following new Free Conference Committee on Senate Amendments to House Bill No. 448: Hall, Bashor, Schye.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee to confer with a like Committee from the Senate on Senate Amendments to House Bills Nos. 535 and 536: McOmber, Bollinger, Leuthold.

The Speaker appointed the following Conference Committee to confer with a like Committee from the Senate on Senate Amendments to House Bill No. 537: Twedt, Egan, Felt.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules and Journal, having had under consideration a motion made by Representative Jim Lucas as follows:

"I move that the House of Representatives temporarily suspend its' rules for the sole purpose of receiving and considering any bills from the Senate, including Senate Bill 65, to transfer Park County only, from the 2nd Congressional District to the 1st Congressional District in Montana, with the proviso that such bills may not be amended to transfer any other counties."

Respectfully report as follows: That the motion is improper in that it carries three subjects to wit: (1) suspends the rules to allow admission of any Senate bills, (2) that Senate Bill 65 may not be amended after its admission to the House, (3) that Senate Bill 65 specifically be admitted. To allow this motion and if it passed, the House would circumvent second and third reading. All bills considered by the House on second reading may be amended which this motion disallows.

The proper motion would be "that the House of Representatives suspend its rules to allow the admission of Senate Bill 65 into the House for consideration."

CEROVSKI, Chairman.

Report adopted.

MESSAGE FROM THE GOVERNOR

Received of Chairman, Bills Committee, Warren Harper, House Bill No. 532.

TIM BABCOCK, Governor,
By Jeanie Morris.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

The President named the following Conference Committee to confer on Senate Amendments to the following:

House Bill No. 535: Senator James.
Senator O'Neill.
Senator Cole.

House Bill No. 536: Senator Nees.
Senator Kakfa.
Senator Mackay.

House Bill No. 537: Senator MacDonald.
Senator Groff.
Senator Moritz.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The President this day named the following Free Conference Committee to consider Senate Substitute for House Bill No. 448:

Senator Manning.
Senator Huntley.
Senator McDonnell.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Eskildsen that the House be on Order of Business No. 6. Motion carried.

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that House Bill No. 524 be taken from Enrolling and placed on Second Reading. Motion carried.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

March 4, 1965

To the President of the Senate and Speaker of the House:

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 522 beg leave to report as follows:

The Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 522 has agreed as follows:

That the Senate secede from the Senate Finance and Claims Committee Amendment in Section 6, page 4, line 7 of the original bill, being Section 6, page 4, line 9 of the printed bill, and reinstate the figures "\$926,368.00" and "\$1,002,500.00".

That the Finance and Claims Committee Amendment in Section 6, page 4, line 8 of the original bill, being Section 6, page 4, line 11 of the printed bill, be stricken and the following inserted in lieu thereof, insert the figures "\$2,246,245.00" and "\$2,805,409.00".

That the Senate Finance and Claims Committee Amendment in Section 6, page 5, line 23 of the original bill, being Section 6, page 5, line 52 of the printed bill, be stricken and insert in lieu thereof the figures "\$398,750.00" and "\$398,750.00".

That the House accede the Senate Finance and Claims Committee Amendments in Section 1, page 2, after line 22 of the original bill, being Section 1, page 2, line 33 of the printed bill and the amendment in Section 3, page 3, lines 13 and 14 of the original bill, being Section 3, page 3, line 4 of the printed bill, and the amendment in Section 6, page 5, line 25 of the original bill, being Section 5, page 5, line 54 of the printed bill;

And as so amended, be adopted.

For the Senate:

CUMMING,
MAHONEY,
EDWARDS;

For the House:

RAUNDAL,
ESKILDSEN,
SPILDE.

Conference Committee report on Senate Amendments to House Bill No. 522 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Swanz, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 64.

Noes: None.

Absent or not voting: Atkins, Bailey, Boughton, Broeder, Cregg, Crum, Deschamps, East, Gilfeather, Haines, Jenkins, Jensen, Johnson, Lombardi, McDonald, McOmber, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 29.

Excused: Gerke. Total 1.

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 536, beg leave to report as follows:

That we met this day and considered Senate Finance and Claims Committee Amendment and Senate Committee of the Whole Amendment to House Bill No. 536 and recommend as follows:

That the Senate recede from both above-mentioned amendments.

And recommend that the same be adopted.

For the Senate:

NEES,
KAFKA,
MACKAY;

For the House:

McOMBER,
BOLLINGER,
LEUTHOLD.

Conference Committee report on Senate Amendments to House Bill No. 536 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Garrison, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, Obstarczyk, O'Hair, Prevost, Raundal, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Spilde, Swanz, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 64.

Noes: None.

Absent or not voting: Atkins, Bailey, Boughton, Broeder, Cregg, Crum, Deschamps, East, Gilfeather, Haines, Jenkins, Jensen, Johnson, Lombardi, McDonald, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Shugrue, Smith, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 29.

Excused: Gerke. Total 1.

MESSAGES FROM THE GOVERNOR

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 91. House Bill No. 283.

House Bill No. 92. House Bill No. 311.

House Bill No. 243. House Bill No. 354.

Sincerely yours,

TIM BABCOCK, Governor.

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 19. House Bill No. 284.

House Bill No. 64. House Bill No. 289.

House Bill No. 153. House Bill No. 314.

House Bill No. 159. House Bill No. 321.

House Bill No. 199. House Bill No. 345.

House Bill No. 231. House Bill No. 352.

House Bill No. 235. House Bill No. 366.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGE FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote, adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 522.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under Second Reading, under the rules of the previous sitting. Motion carried.

Judge of Lewis and Clark in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 524 be amended as follows:

Amend Section 3, after line 464, page 19 of the printed bill by inserting the following:

“Department of Administration

(1) From the general fund, for operation and capital \$20,000.00

(2) All revenue derived from central data processing performed by the department of administration shall be deposited to the revolving fund, general service account. All moneys deposited in the revolving fund, general services account are appropriated to the department of administration, general services division for central data processing.”

And as so amended, do pass.

That the Committee rise and report and beg leave to sit again.

JUDGE, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 524 was passed by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bollinger, Brenner, Casey, Cerovski, Christiansen, Cummings, Delano, Dye, Egan, Eklund, Eskildsen, Falkenstein, Felt, Fischer, Flynn, Garrison, Gill, Gilligan, Gunderson, Hall, Hanks, Harper, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Pierce, Prevost, Raundal, Scherf, Schye, Selstad, Sheehy, Slaby, Smiley, Smith, Spilde, Swanz, Twedt, Ulmer, Watt, Woodard, Zimmer, Mr. Speaker. Total 64.

Noes: None.

Absent or not voting: Atkins, Bailey, Bashor, Boughton, Broeder, Cregg, Crum, Deschamps, East, Gilfeather, Haines, Jenkins, Jensen, Johnson, Lombardi, McDonald, Obstarczyk, O'Leary, Rehberg, Rygg, Sartz, Schepens, Shugrue, Stranahan, Sullivan, Tooke, Tracy, Williams, Willits. Total 29.

Excused: Gerke. Total 1.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORTS

March 4, 1965

To the President of the Senate and the Speaker of the House:

We, your Joint Free Conference Committee having had under consideration Senate Substitute for House Bill No. 448, beg leave to report as follows:

Amend Section 1, of the original bill, page 2, line 16, being in the printed bill, page 2, line 30, by deleting the figures 1.2% and inserting in lieu thereof the figures 1.1%;

Further amend Section 1 of the original bill, page 2, line 19, being page 2, line 32 of the printed bill by deleting the figures 2.3% and inserting in lieu thereof the figures 2.2%;

Further amend Section 1 of the original bill, page 2, line 22, being page 2, line 34 of the printed bill, by deleting the figures 3.4% and inserting in lieu thereof the figures 3.3%;

Further amend Section 1 of the original bill, page 3, line 1, being page 2, line 40 of the printed bill, by deleting the figures 7.8% and inserting in lieu thereof the figures 7.9%;

And as so amended be adopted.

For the Senate:

MANNING,
HUNTLEY,
McDONNELL;

For the House:

HALL,
BASHOR,
SCHYE.

Motion was made by Bashor for adoption of the Conference Committee report.

Substitute motion was made by Hall that the Conference Committee report be rejected and that a new Free Conference Committee be appointed to meet with a like Committee from the Senate. Substitute motion failed by the following vote:

Ayes: Bardanouve, Bollinger, Casey, Flynn, Gunderson, Hall, Harper, Healy, Holtz, Judge, McNamara, Obstarczyk, Schye, Twedt. Total 14.

Noes: Asbjornson, Bashor, Christiansen, Cummings, Delano, Dye, Ek-lund, Eskildsen, Falkenstern, Felt, Fischer, Garrison, Gilfeather, Gill, Gilligan, James, Laas, Leuthold, Lewis, Loman, Lucas, Lund, MacCal-man, Mather, McNamer, McOmber, Meccage, Nefzger, Nelson, Nichols, Nutting, O'Hair, Prevost, Raundal, Sheehy, Slaby, Smiley, Smith, Ulmer, Watt, Zimmer. Total 41.

Absent or not voting: Aasheim, Atkins, Bailey, Boughton, Brenner, Broeder, Cerovski, Cregg, Crum, Deschamps, East, Egan, Haines, Hanks, Jenkins, Jensen, Johnson, Lombardi, McDonald, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Scherf, Selstad, Shugrue, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Williams, Willits, Woodard, Mr. Speaker. Total 38.

Excused: Gerke. Total 1.

Conference Committee Report on Senate Substitute for House Bill No. 448, failed to be adopted by the following vote:

Ayes: Aasheim, Bashor, Bollinger, Brenner, Christiansen, Egan, Ek-lund, Fischer, Gilfeather, Gill, Gilligan, Laas, Lewis, McOmber, Meccage, Nefzger, O'Hair, Prevost, Raundal, Sheehy, Slaby, Twedt, Watt. Total 23.

Noes: Asbjornson, Bardanouve, Casey, Cerovski, Cummings, Delano, Dye, Eskildsen, Falkenstern, Felt, Flynn, Garrison, Gunderson, Harper, Healy, Holtz, James, Judge, Leuthold, Loman, Lucas, Lund, MacCalman, Mather, McNamara, McNamer, Nelson, Nichols, Nutting, Obstarczyk, Schye, Selstad, Smith, Ulmer, Zimmer. Total 35.

Absent or not voting: Atkins, Bailey, Boughton, Broeder, Cregg, Crum, Deschamps, East, Haines, Hall, Hanks, Jenkins, Jensen, Johnson, Lombardi, McDonald, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Scherf, Shugrue, Smiley, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Williams, Willits, Woodard, Mr. Speaker. Total 35.

Excused: Gerke. Total 1.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on Senate Amendments to House Bill No. 535, beg leave to report as follows:

That the House accede to paragraph 1 of the Senate Finance and Claims Committee Amendment to the title.

Amend paragraph 2 of the Senate Finance and Claims committee amendments to House Bill 535 in Section 1, lines 9 and 10, page 1 of the original bill, being Section 1, lines 1 and 2 of the printed bill, by striking the following words and figures "Two million, five hundred eight thousand two hundred sixty-seven dollars (\$2,508,267)", and inserting in lieu thereof the following words and figures "three million six hundred thirty-nine thousand eight hundred seventeen dollars (\$3,639,817)".

That the House accede to paragraph 3 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 4 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 5 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 6 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 7 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 8 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 9 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 10 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 11 of the Senate Finance and Claims Committee amendment to Section 1.

That the Senate recede from paragraph 12 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 13 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 14, in regard to Section 1, page 4, line 11 of the original bill, being Section 1, page 4, line 88 of the printed bill, of the Senate Finance and Claims Committee Amendment; and the Senate recede to paragraph 14 in regard to Section 1, page 4, line 12 of the original bill, being Section 1, page 4, line 89 of the printed bill, of the Senate Finance and Claims Committee Amendment.

That the Senate recede from paragraph 15 of the Senate Finance and Claims Committee amendment with the exception in the first line of the renumbered Section 5 by striking the words and figures "Forty-seven thousand five hundred dollars (\$47,500)" and inserting in lieu thereof the following words and figures "Ten thousand dollars (\$10,000)".

And further amend by inserting the following new Section 6: "Section 6. Not more than \$1,300,000 shall be expended from the long-range building program account in the bond proceeds and insurance clearance fund for the diagnostic and treatment center."

And as so amended, be adopted.

For the Senate:

JAMES,
COLE,
O'NEILL;

For the House:

McOMBER,
LEUTHOLD,
BOLLINGER.

Motion was made by McOmber that the Committee report be adopted.

Substitute motion was made by Bardanouve that the report be not adopted and that a new Committee be appointed. Substitute motion was carried by the following vote:

Ayes: Bardanouve, Brenner, Casey, Christiansen, Delano, Egan, Esklund, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gill, Hall, Hanks, Harper, Healy, James, Judge, Lewis, Lund, MacCalman, McNamara, McNamer, Meccage, Nefzger, Nelson, Nichols, Obstarczyk, O'Hair, Prevost, Raundal, Schye, Selstad, Sheehy, Smith, Spilde, Ulmer, Watt, Zimmer. Total 40.

Noes: Asbjornson, Bashor, Bollinger, Cerovski, Garrison, Gilfeather, Gilligan, Gunderson, Holtz, Laas, Leuthold, Loman, Mather, McOmber, Nutting, Slaby, Smiley, Twedt. Total 18.

Absent or not voting: Aasheim, Atkins, Bailey, Boughton, Broeder, Cregg, Crum, Cummings, Deschamps, Dye, East, Haines, Jenkins, Jensen, Johnson, Lombardi, Lucas, McDonald, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Scherf, Shugrue, Stranahan, Sullivan, Swanz, Tooke, Tracy, Williams, Willits, Woodard, Mr. Speaker. Total 35.

Excused: Gerke. Total 1.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bill No. 106, 105, 104, 103.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 524, introduced by Committee Appropriations was this day introduced, concurred in on Second Reading, read third time and concurred in, title and history agreed to and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day adopted the Joint Conference Committee report on Senate Substitute to House Bill No. 448.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Felt, having voted on the prevailing side, moved that the House reconsider its action in voting against the motion to appoint a new Free Conference Committee on Senate Amendments to Senate Substitute for House Bill No. 448. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following new Free Conference Committee on Senate Amendments to Senate Substitute for House Bill No. 448: Hall, Chairman, Gilfeather and Felt.

The Speaker appointed the following new Conference Committee on Senate Amendments to House Bill No. 535: McOmber, Bollinger, Schye.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

CONFERENCE COMMITTEE REPORT

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 537, respectfully report as follows:

That the Senate Finance and Claims Committee Amendments to House Bill No. 537 be stricken in their entirety and the following amendments be made:

Amend Section 1, page 1, between lines 18 and 19 of the original bill, being Section 1, page 1, between lines 4 and 5 of the printed bill by inserting the following:

“State Board of Examiners

From the long range building program account, bond proceeds and insurance clearance fund:

- | | |
|---|----------------|
| (1) Reconstruction, improvement, remodeling, repair,
and furnishing of the State Capitol Building, | |
| Phase II | \$1,000,000.00 |

Provided that the \$400,000.00 of bonds authorized in House Bill 427 of the 38th Legislative Assembly shall have been expended prior to the authorization granted therein and the Senate shall appoint a bipartisan committee of two to meet with any state agency responsible on any remodeling of the Senate or Senate Committee rooms or associated offices.”, and

Further amend Section 1, page 2, line 26 of the original bill, being Section 1, page 3, line 48 of the printed bill by deleting the words and figures therein, and

As so amended, be adopted.

For the Senate:

MacDONALD,
GROFF,
MORITZ;

For the House:

TWEDT,
EGAN,
FELT.

Conference Committee report on House Bill No. 537 was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bollinger, Casey, Cerovski, Christiansen, Delano, Egan, Eskildsen, Falkenstern, Felt, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Loman, Lund, McNamara, McNamer, McOmber, Meccage, Neffzger, Nelson, Nichols, O'Hair, Prevost, Schye, Selstad, Sheehy, Slaby, Smiley, Twedt, Watt, Zimmer, Mr. Speaker. Total 45.

Noes: Bashor, Cummings, Garrison, Hanks, Harper, Obstarczyk, Raundal, Smith. Total 8.

Absent or not voting: Atkins, Bailey, Boughton, Brenner, Broeder, Cregg, Crum, Deschamps, Dye, East, Eklund, Fischer, Haines, Jenkins, Jensen, Johnson, Lombardi, Lucas, MacCalman, Mather, McDonald, Nutting, O'Leary Pierce, Rehberg, Rygg, Sartz, Schepens, Scherf, Shugrue, Spilde, Stranahan, Sullivan, Swanz, Tooke, Tracy, Ulmer, Williams, Willets, Woodard. Total 40.

Excused: Gerke. Total 1.

MESSAGE FROM THE SENATE

March 4, 1965

Mr. Speaker:

The Senate named the following Conference Committee to Senate Amendments to House Bill No. 535:

Senator MacDonald.
Senator Rieder.
Senator Rostad.

The Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Amendments to House Bills 536 and 537.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

March 4, 1965

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee on Senate Amendments to House Bill No. 535, beg leave to report as follows:

That the House accede to paragraph 1 of the Senate Finance and Claims Committee Amendment to the title.

Amend paragraph 2 of the Senate Finance and Claims Committee amendments to House Bill 535 in Section 1, lines 9 and 10, page 1 of the original bill, being Section 1, lines 1 and 2 of the printed bill, by striking the following words and figures "Two million, five hundred eight thousand two hundred sixty-seven dollars (\$2,508,267)" and inserting in lieu thereof the following words and figures "three million six hundred thirty-nine thousand eight hundred seventeen dollars (\$3,639,817)".

That the House accede to paragraph 3 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 4 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 5 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 6 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 7 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 8 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 9 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 10 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 11 of the Senate Finance and Claims Committee amendment to Section 1.

That the Senate recede from paragraph 12 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 13 of the Senate Finance and Claims Committee amendment to Section 1.

That the House accede to paragraph 14, in regard to Section 1, page 4, line 11 of the original bill, being Section 1, page 4, line 88 of the printed bill, of the Senate Finance and Claims Committee Amendment; and the Senate recede to Paragraph 14 in regard to Section 1, page 4, line 12 of the original bill, being Section 1, page 4, line 89 of the printed bill, of the Senate Finance and Claims Committee Amendment.

That the Senate recede to paragraph 15 of the Senate Finance and Claims Committee amendments and that the following be inserted at the end of line 6, page 4, Section 3 of the printed bill, being line 30, page 4 of renumbered Section 4 of the original bill:

"The eight member committee shall appoint a qualified building engineer to serve at the pleasure of the committee at a salary set by the committee. The committee shall furnish transportation and per diem for said employee. The building engineer shall keep accurate records of all buildings under construction, review proposed construction and repair plans and make monthly reports to each member of the committee. The said committee shall meet quarterly and at such other times as construction progress requires. The Legislative Council staff shall cooperate in carrying out the provisions of this act."

That renumbered Section 5 of the original bill which is Section 4 of the printed bill be reinstated in its entirety.

For the Senate:

MacDONALD,
RIEDER,
ROSTAD;

For the House:

McOMBER,
BOLLINGER,
SCHYE.

Motion was made by McOmber for adoption of the Conference Committee report and the report was adopted by the following vote:

Ayes: Aasheim, Asbjornson, Bardanouve, Bashor, Bollinger, Casey, Cerovski, Christiansen, Delano, Dye, Egan, Eskildsen, Falkenstern, Felt, Fischer, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Healy, Holtz, James, Judge, Laas, Leuthold, Lewis, Loman, Lund, MacCalman, Mather, McNamara, McNamer, McOmber, Meccage, Neffzger, Nelson, Nichols, Nutting, O'Hair, Prevost, Schye, Sheehy, Slaby, Twedt, Ulmer, Watt, Zimmer, Mr. Speaker. Total 51.

Noes: Cummings, Garrison, Obstarczyk, Raundal, Selstad, Smiley, Smith, Spilde. Total 8.

Absent or not voting: Atkins, Bailey, Boughton, Brenner, Broeder, Cregg, Crum, Deschamps, East, Eklund, Haines, Harper, Jenkins, Jensen, Johnson, Lombardi, Lucas, McDonald, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Scherf, Shugrue, Stranahan, Sullivan, Swanz, Tooke, Tracy, Williams, Willits, Woodard. Total 34.

Excused: Gerke. Total 1.

To the President of the Senate and the Speaker of the House:

We, your Joint Free Conference Committee having had under consideration Senate Substitute for House Bill No. 448, beg leave to report as follows:

Amend Section 1, page 2, lines 15 and 16 of the original bill by deleting the words and figures "one and two-tenths per centum (1.2%)" being line 30 of the printed bill the figures only "1.2%" and inserting in lieu thereof the figures "1.1%";

Further amend Section 1 of the original bill, page 2, lines 18 and 19, by deleting the words and figures "two and three-tenths per centum (2.3%)" being line 32 of the printed bill the figures only "2.3%" and inserting in lieu thereof the figures "2.2%";

Further amend Section 1 of the original bill, page 2, lines 24 and 25 by deleting the words only "four and five-tenths per centum";

Further amend Section 1, page 2, lines 27 and 28 of the original bill by deleting the words only "five and six-tenths per centum";

Further amend Section 1 of the original bill, page 2, lines 21 and 22 by deleting the words and figures "three and four-tenths per centum (3.4%)" being page 2, line 34 of the printed bill the figures only "3.4%" and inserting in lieu thereof the figures "3.3%";

Further amend Section 1 of the original bill, page 2, line 30 and page 3, line 1, by deleting the words and figures "seven and eight-tenths per

centum (7.8%) being page 2, line 40 of the printed bill the figures only "7.8%" and inserting in lieu thereof the figures "7.9%";

And as so amended be adopted.

For the Senate:

MANNING,
HUNTLEY,
McDONNELL;

For the House:

HALL,
GILFEATHER,
FELT.

Motion was made by Hall that the Conference Committee report be adopted. Report was adopted by the following vote:

Ayes: Aasheim, Bardanouve, Bollinger, Cerovski, Christiansen, Egan, Eskildsen, Felt, Flynn, Gilfeather, Gill, Gilligan, Gunderson, Hall, Hanks, Holtz, James, Judge, Laas, Lewis, McOmber, Meccage, Nefzger, Nichols, O'Hair, Prevost, Raundal, Sheehy, Slaby, Twedt, Ulmer, Watt, Zimmer. Total 33.

Noes: Asbjornson, Casey, Cummings, Delano, Dye, Falkenstern, Fischer, Garrison, Healy, Leuthold, Loman, Lund, MacCalman, Mather, McNamara, McNamer, Nelson, Nutting, Schye, Selstad, Smiley, Smith, Spilde. Total 23.

Absent or not voting: Atkins, Bailey, Bashor, Boughton, Brenner, Broeder, Cregg, Crum, Deschamps, East, Eklund, Haines, Harper, Jenkins, Jensen, Johnson, Lombardi, Lucas, McDonald, Obstarczyk, O'Leary, Pierce, Rehberg, Rygg, Sartz, Schepens, Scherf, Shugrue, Stranahan, Sullivan, Swanz, Tooke, Tracy, Williams, Willits, Woodard, Mr. Speaker. Total 37.

Excused: Gerke. Total 1.

MESSAGES FROM THE SENATE

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to and the same are herewith returned to the House:

House Bill No. 458, introduced by Sheehy, et al.

House Joint Resolution No. 40, introduced by Haines, et al.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The President appointed the Second Free Conference Committee on Senate Amendments to House Bill No. 448:

Senator Manning.
Senator Huntley.
Senator McDonnell.

The President appointed the Second Conference Committee on Senate Amendments to House Bill No. 535:

Senator MacDonald.
Senator Rieder.
Senator Rostad.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee report on House Bill No. 535.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

March 4, 1965

Mr. Speaker:

The Senate this day adopted the Free Conference Committee report on Senate Substitute to House Bill No. 448.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Joint Resolutions Nos. 41, 40, and House Bill No. 458.

HARPER, Chairman.

I have examined House Joint Resolution No. 41 introduced by me and find the same to be correct.

JUDGE.

I have examined House Joint Resolution No. 40 introduced by Haines and find the same to be correct.

CEROVSKI.

I have examined House Bill No. 458 introduced by me and find the same to be correct.

SHEEHY.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 458 and 346, and House Joint Resolution No. 40.

MESSAGES FROM THE GOVERNOR

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 4.
House Bill No. 5.
House Bill No. 49.
House Bill No. 100.
House Bill No. 121.
House Bill No. 163.
House Bill No. 173.
House Bill No. 176.
House Bill No. 189.
House Bill No. 208.
House Bill No. 236.
House Bill No. 256.
House Bill No. 324.
Senate Sub. for House Bill No. 332.
House Bill No. 384.
House Bill No. 397.
House Bill No. 407.
House Bill No. 434.
House Bill No. 447.
House Bill No. 504.
House Bill No. 512 (Senate Sub.)
House Bill No. 514.
House Bill No. 517.
House Bill No. 519.
House Bill No. 520.
House Bill No. 530.
House Joint Resolution No. 1.
House Joint Resolution No. 2.
House Joint Resolution No. 12.
House Joint Resolution No. 18.

House Joint Resolution No. 23.

House Joint Resolution No. 26.

House Joint Resolution No. 27.

House Joint Resolution No. 37.

Sincerely yours,

TIM BABCOCK, Governor.

MESSAGE FROM THE SENATE

March 4, 1965

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 540, introduced by Hall, was this day recommended for non-concurrence by the Senate Finance and Claims Committee, report adopted, and the same is herewith returned to the House.

Respectfully,

ALLEN DONOHUE,
Secretary of the Senate.

UNFINISHED BUSINESS

The Speaker appointed the following Interim Committees:

Senate Bill No. 51, Legislative Post Audit: Gill, Raundal, Haines, Felt.

House Bill No. 535, Public Institutions Construction: Cerovski, McOmber, Lucas, Rehberg.

House Resolution No. 25, Highways: Wayrynen, Eskildsen, Schye, Mather, Ulmer.

House Resolution No. 27, Board of Equalization: Twedt, Cregg, Jensen.

House Resolution No. 28, Unemployment Compensation: Lombardi, Gerke, Casey.

House Resolution No. 29, National Guard: Harper, McNamara, Dye.

House Resolution No. 30, Department of Public Welfare: Healy, O'Leary, Leuthold.

House Resolution No. 31, Montana University System: Hanks, Egan, Spilde.

House Resolution No. 32, Fish and Game: Fischer, Slaby, Delano.

House Resolution No. 33, Department of Institutions: Bashor, Watt, MacCalman.

House Resolution No. 34, Reapportionment: Sheehy, Sullivan, Meccage, Lund, Mather.

Motion was made by Cerovski that the House revert to Order of Business No. 4. Motion carried.

MESSAGES FROM THE GOVERNOR

Honorable Ray J. Wayrynen
Speaker of the House of Representatives
39th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have approved the following measures:

House Bill No. 37.

House Bill No. 317.

Sincerely yours,

TIM BABCOCK, Governor.

Motion was made by Ceroyski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bills Nos. 346, 525, 537, 536, 533, 529, 522, 528, 526, 524 and Senate Substitute for House Bill No. 448.

HARPER, Chairman.

I have examined House Bill No. 524 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 526 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 528 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 522 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 529 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 533 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 536 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 537 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined House Bill No. 525 introduced by me and find the same to be correct.

BARDANOUVE.

I have examined Senate Substitute for House Bill No. 448 introduced by me and find the same to be correct.

GILFEATHER.

I have examined House Bill No. 346 introduced by me and find the same to be correct.

AASHEIM.

The Speaker signed the following House Bills in open session, the titles having first been read: Senate Substitute for House Bill No. 448, House Bills Nos. 346, 525, 536, 537, 533, 529, 522, 526, 528, 524.

MESSAGE FROM THE GOVERNOR

Received of Chairman, Bills Committee, Warren Harper, House Bill No. 458, and House Joint Resolutions Nos. 40 and 41.

TIM BABCOCK, Governor,
By Jeanie Morris.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

March 4, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills No. 458, and House Joint Resolutions Nos. 40 and 41, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 12:05 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

I have examined House Bill No. 535 introduced by me and find the same to be correct.

BARDANOUE.

March 4, 1965

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 535.

HARPER, Chairman.

The Speaker signed House Bill No. 535 in open session, the title having first been read.

March 4, 1965

Mr. Speaker: We, your Bills Committee, to whom was referred House Bills Nos. 524, 528, 526, 522, 529, 533, 536, 537, 346, 525 and Senate Substitute for House Bill No. 448, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:30 o'clock, p.m., delivered to the Governor for his approval.

HARPER, Chairman.

MESSAGE FROM THE GOVERNOR

Received of Chairman, Bills Committee, Warren Harper, Senate Substitute for House Bill No. 448, and House Bills Nos. 524, 528, 526, 522, 529, 533, 536, 537, 346, 525.

TIM BABCOCK, Governor,
By Jeanie Morris.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that a committee of three members be appointed by the Speaker to notify the Honorable Senate that the House of Representatives of the 39th Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die. Motion carried.

Thereupon the Speaker appointed the following committee to notify the Senate: Bardanouve, Twedt, MacCalman.

Motion was made by Cerovski that a committee of three members be appointed by the Speaker to notify His Excellency, the Governor, that the House of Representatives of the 39th Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die. Motion carried.

Thereupon the Speaker appointed the following committee to notify the Governor: Eskildsen, Felt, Schye.

Mr. Speaker: We, your Committee on Rules and Journal, having examined the Journal for the Sixtieth Legislative Day, find the same to be correct.

CEROVSKI, Chairman.

Report adopted.

A committee was received from the Senate which notified the House that the Senate, having completed its business, was ready to adjourn sine die.

The House committee appointed to notify the Senate that the House was ready to adjourn, returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

The House committee appointed to notify the Governor that the House was ready to adjourn, returned to report that the message had been delivered. The Speaker thanked the committee and it was discharged.

Motion was made by Cerovski that the House of Representatives of the 39th Legislative Assembly of the State of Montana now stand adjourned sine die. Motion carried.

House adjourned sine die.

RAY J. WAYRYNEN, Speaker.

WALTER MARSHALL, Chief Clerk.

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